

WELCOME PARADUCATORS!!!!!!!!!!!!!!!!!!!!!!

“Our JOB is to teach the students WE have. Not the ones we would like to have. Not the ones we used to have. Those we have right now. ALL OF THEM.” Dr. Kevin Maxwell

Welcome to BCK-SEI #615. You are a very special person to us! Ask any teacher, they wouldn't want to work without you! You help make the quality behind our special education program. Without you, we couldn't meet the needs of our very special students. You give the teacher time to do more effective collaboration with general education teachers, which allows the teacher to do more comprehensive planning and work with each student individually. WE ARE TRULY GLAD THAT YOU ARE HERE!!!!

This handbook is designed to make you feel a little more at home and better informed. Enclosed you will find the forms required for the Para Educator job and information that will make your year a success!

Revised June 2025

NOTICE OF NON-DISCRIMINATION

Brown County Kansas Special Education Interlocal is committed to a policy of non-discrimination on the basis of race, age, sex, religion, color, national origin, creed, handicap, marital or parental status, in educational programs or activities and in employment as specified by federal and state laws and regulations.

PHILOSOPHY OF BCK-SEI

The underlying philosophy of Brown County Kansas Special Education Interlocal #615 is our belief in the intrinsic value of every child, regardless of ability, and the right of every child to have the opportunity to develop to his/her maximum level of potential. It is our belief that exceptional children can have, through proper education, guidance and training, a meaningful, as well as a productive, place in our society.

We are committed to making a free and appropriate educational program available to each exceptional child regardless of the severity of his/her special needs. Each child's personality is unique therefore, his/her program is designed to meet his/her particular needs in the best possible manner. It is our desire to provide all services necessary for ensuring each child an opportunity to achieve at the maximum of his/her capabilities and abilities. Our common goal is meeting the provisions for special education as set forth in legislative action, both at the state and at the federal level.

We are striving to make Brown County Kansas Special Education Interlocal one of the best, if not THE BEST, Interlocal in the State of Kansas. If the Special Education Interlocal is of high quality, then we will provide a quality education for our exceptional students, and that is our real reason for being here.

AN OVERVIEW OF BCK-SEI

Who is BCK-SEI?

BCK-SEI stands for the Brown County Kansas Special Education Interlocal. Its purpose is improving and expanding educational services for exceptional students in the school districts that are members of BCK-SEI—services that participating districts cannot effectively implement on an individual basis.

What districts comprise BCK-SEI?

BCK-SEI is made up of the unified school districts in Brown County: USD #415 Hiawatha and USD #430 South Brown County (Horton). BCK-SEI also serves on request at no charge the Kickapoo Nation School and any other private or parochial schools/preschools within the county.

How is BCK-SEI governed?

BCK-SEI is governed by a board of education composed of three selected members of the local boards of education from each participating USD for a total of six members. The two USD superintendents serve on the BCK-SEI board in an advisory capacity.

What services are offered by the BCK-SEI?

BCK-SEI employs approximately 100 staff and provides services in the following areas on a referral basis:

Direct/Support Services:

Adaptive Physical Education	Occupational Therapy
Attention Deficit Disorder	Physical Therapy
Autism	Preschool
Behavior Management	Psychologist
Counseling	Speech/Language
Life Skills Class	STYLE
Gifted	Transition Program
Hearing Impaired	Transportation
Inclusion	Traumatic Brain Injury
IRC Classes (DD/ID/SMD/LD/ED)	Visually Impaired
Specific Learning Disabilities	Vocational Program

Administrative:

Director
Board Clerk/Business Manager
IEP Compliance Officer
Supervisor/Coordinator

CODE OF ETHICS

1. All employees of BCK-SEI convey an image of the interlocal to other professionals, parents, and the community as a whole. We want this to be a favorable image. The Para Educator is as much a part of creating this image as the certified staff member. Therefore, your actions, speech, and dress should be appropriate and professional at all times.
2. You will undoubtedly be asked questions about your job, the students with which you work, your teacher, and the special education program in general. Keep these things in mind when you answer these questions:

*Be positive. Avoid negative remarks. But do reply!

*Remember that school matters should be left at school and should not be a topic of public discussions.

***Discussing specific facts about students which you work, with anyone other than your supervising teacher or special education administrator is a violation of the students' confidentiality rights.**

*You are not supposed to be an expert in every phase of the BCK-SEI program simply because you are employed by the interlocal. Don't be afraid to say, "I really don't know," in answer to questions.

3. Support the special education programs of BCK-SEI verbally, enthusiastically, and actively, and by your involvement in interlocal events whenever possible.
4. Support your supervising teacher in every way possible—wholeheartedly.
5. **When concerns are voiced, leave visiting with parents and school officials to your supervising teacher or other appropriate interlocal certified staff members.**

SPECIAL EDUCATION PARAEDUCATORS ROLES & RESPONSIBILITIES

DEFINITION: A Para Educator is a person hired to assist a certified teacher in the instruction of exceptional children. Your Official supervisor is the Special Education teacher that you are assigned to at the beginning of each school year. The General Education teacher would be your Immediate Supervisor.

PURPOSE: To improve the quality of the educational program offered exceptional children by freeing the instructor to:

1. Diagnose the needs of children with devices and unique learning styles.
2. Plan and implement activities to meet the needs of a broad range of exceptional children.
3. Evaluate and redirect instructional programs as needed.

MAJOR PERFORMANCE RESPONSIBILITIES:

The Para Educator will:

1. Be expected to have good attendance and be at work on time.
2. Assist or directly carry out educational activities designed by the instructor.
3. Work with (tutor) individual pupils.
4. Work with small groups.
5. Drill the entire class on follow-up or reinforcement activities.
6. Assist in duplicating materials for the instructor for use in the classroom.
7. Correct papers and check the work of students.
8. Assist with classroom housekeeping chores.
9. Prepare instructional aids, games, and bulletin boards at the discretion of the instructor.
10. Perform various clerical duties within the classroom.
11. Supervise students on buses and at dismissal and on field trips.
12. Supervise job training for any student working in the community.
13. Assist in carrying out programs set up by support personnel (OT, PT, Speech, etc.).
14. Follow all policies and procedures set forth by the BCK-SEI Board: including notifying supervising personnel when absent by one of the following methods: calling, texting, or mail.
15. Practice professionalism at all times.
16. Participate in applicable BCK-SEI activities.
17. Be required to lift and/or carry between 25-40 pounds.
18. Complete Professional Development hours by April 15th each year.

The Para Educator will not:

1. Be directly responsible for a classroom.
2. Evaluate students by using diagnostic instruments.
3. Program or prescribe educational activities (prepare instructional plans).
4. Initiate original concept instruction.
5. Be employed in lieu of needed itinerant special educational personnel. The Para Educator may work with an exceptional child when the special teacher is not in the building only if the special teacher works directly with both the child and the Para Educator once a week.
6. Be used as a substitute teacher unless the Para Educator is a certificated teacher.
7. Be assigned to work with one or more of the most "difficult" students in the special education classroom or in support services most of the school day merely for the convenience of the teacher. Assignments should be made based on student needs.
8. Be responsible for preparing lesson plans and initiating original concept instruction.
9. Be employed to make the teacher's job any less responsible, but to improve the quality of the education program for exceptional children.

BROWN COUNTY KANSAS SPECIAL EDUCATION INTERLOCAL #615
301 South 1st Street -- Hiawatha, KS 66434 -- (785) 742-7108

Job Description

TITLE: Special Education Para Educator

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PURPOSE: To improve the quality of the educational program offered exceptional children by freeing the instructor to:

1. Diagnose the needs of children with devices and unique learning styles.
2. Plan and implement activities to meet the needs of a broad range of exceptional children.
3. Evaluate and redirect instructional programs as needed.

QUALIFICATIONS: Must have a high school diploma or GED. Resident of Brown County is preferred.

EXPERIENCE: Preference given to those with classroom experience as a special education Para Educator or experience within the special education field or with exceptional children.

PRIMARY FUNCTION: To assist in implementing a program for special education students.

ACCOUNTABLE TO: The assigned supervising special education teacher, Supervisor/Coordinator, BCK-SEI Director, and in a lesser capacity to the building principal, and ultimately the BCK-SEI Board of Education.

MAJOR PERFORMANCE RESPONSIBILITIES:

The Para Educator will:

1. Have good attendance and be to work on time.
2. Assist or directly carry out educational activities designed by the instructor.
3. Work with (tutor) individual pupils.
4. Work with small groups.
5. Drill the entire class on follow-up or reinforcement activities.
6. Assist in duplicating materials for the instructor for use in the classroom.
7. Correct papers and check the work of students.
8. Assist with classroom housekeeping chores.
9. Prepare instructional aids, games, and bulletin boards at the discretion of the instructor.
10. Perform various clerical duties within the classroom.
11. Supervise students on buses and at dismissal and on field trips.
12. Supervise job training for vocational students.
13. Assist in carrying out programs set up by support personnel (OT, PT, Speech, etc.).
14. Follow all policies and procedures as set forth by the BCK-SEI Board: including notifying supervising personnel when absent by one of the following methods: calling, texting, or by email.
15. Practice professionalism always.
16. Participate in applicable BCK-SEI activities.
17. Be required to lift and/or carry up to 25-40 pounds
18. Complete the required Professional Development hours by April 15th each year.

The Para Educator will not:

1. Be directly responsible for a classroom.
2. Evaluate students by using diagnostic instruments.
3. Program or prescribe educational activities (prepare instructional plans).
4. Initiate original concept instruction.
5. Be employed in lieu of needed itinerant special educational personnel. The Para Educator may work with an exceptional child when the special teacher is not in the building only if the special teacher works directly with both the child and the Para Educator once a week.
6. Be used as a substitute teacher unless the Para Educator is a certificated teacher.
7. Be assigned to work with one or more of the most "difficult" students in the special education classroom or in support services most of the school day merely for the convenience of the teacher. Assignments should be made based on student needs.
8. Be responsible for preparing lesson plans and initiating original concept instruction.
9. Be employed to make the teacher's job any less responsible, but to improve the quality of the education program for exceptional children.

TERMS OF EMPLOYMENT: 9-month contract including required district and inter-local pre-service and post-service meetings and workdays.

TRAINING:

1. All Para Educators are required to attend all beginning of the year professional development in-services at the Special Education Annex in Hiawatha along with any required district in-services.
2. Professional development meetings may be held for Para Educators throughout the school year by the Supervisor/Coordinator.

SALARY: Monthly salary figured on basis of hours worked. Hourly wage is determined by the board.

COLLATERAL BENEFITS: Follow BCK-SEI board policy on mileage, health insurance, fringe benefits, sick leave, and personal leave.

EVALUATION: Will be completed by the supervising teacher or Para Educator Supervisor. The evaluation form with relation to job description objectives.

☐ **Minimum standards of evaluation:**

- Employees in their first and second continuous years shall have a minimum of two formal evaluations per year; the first prior to the 60th teaching day of the first semester or by October 15 and the second by February 15.
- All other employees in their third and continuous years of employment shall have at least one formal evaluation per year prior to February 15th.
- A teacher has the option to evaluate a Para Educator at any time if there is enough evidence that warrants an evaluation to help improve the Para Educators performance.

TERMINATION OF EMPLOYMENT: Two weeks' written notice by either party at any point in time, **except for the probationary period**, with approval of BCK-SEI director and board.

PERMIT INFORMATION:

YOUR PERSONAL FILE

Your employment file with the BCK-SEI must be complete before you can be paid. Be sure the following items are on file with the clerk/business manager:

Driver's License – copy

Para Educators are expected to have in their possession a valid Driver's license when operating BCK-SEI school vehicles. Drivers of school vehicles will be responsible for all citations they receive due to operator fault. Drivers shall, always, exercise the utmost care in the operation of the vehicle they are using.

Employment Eligibility Verification (Form I 9)

The BCK-SEI must have a completed Employment Eligibility Verification form on file showing that the employee is eligible to work in the United States. This form may also be referred to as a "citizenship" form.

Oath or Affirmation of Employees

The BCK-SEI must have a completed Oath or Affirmation of Employee on file. This signed form "declares and affirms that the employee will support the Constitution of the United States and the Constitution of the State of Kansas and faithfully discharge the duties of the BCK-SEI".

Personal Data Sheet

Each BCK-SEI employee must have on file a Personal Data Sheet. This form has basic background information showing educational and professional training as well as any experience outside the local schools.

TB Test Requirement

At present, **BCK-SEI requires all employees to have a TB test done before they initially begin working for BCK-SEI** and thereafter when deemed necessary by the board of education. Forms are available from the clerk/business manager.

Social Security Card-copy

It is required that the BCK-SEI have on file a copy of your official social security card. If you have lost yours, you must send for another card from the Social Security Administration office.

Teaching Certificate/Transcript (if certified) – official copies

Some Para Educators are certified teachers. If you are a certified teacher, you should be sure the BCK-SEI has a copy of your certificate and your transcripts from your parent college. This will be returned to you when leaving BCK-SEI's employment.

W-4 Withholding Form

Para Educators must sign an income tax withholding form before any salary can be paid. These are available from the clerk/business manager.

K-4 Withholding Form

For State income taxes

KPERS Forms

For KPERS covered positions

PAY PERIODS AND RELATED INFORMATION

All Para Educators are paid based on an hourly wage paid over the 9-month school year. Monthly salary is based on the number of hours worked each month. Electronic timecards are to be completed and emailed to the BCK-SEI clerk/business manager by the **22nd** of each month **by 4:30 p.m.** Para Educators will receive their paychecks by personal mail or direct deposit. Payday for Para Educators will be the last working day of each month during the school year that the Special Education office is open. It is not the last working day of the month in the District you work in, as the two districts are sometimes on different schedules.

9-Month or 12-Month Pay

Classified employees (Para Educators and Bus Drivers) of BCK-SEI may be paid on a 9-month or 12-month basis. At the beginning of the school year, each employee shall sign a form stating whether they wish to be paid on a 9-month or 12-month basis which will remain in effect the entire school year. The payment format can not change during the year. If hired during the school year, the employee will be on a 9-month basis.

Keep in mind:

1. Electronic timecards should be completed daily. Remember this is a web-based program so you can complete your timecard at any time.
2. Time worked above OR below your regularly scheduled hours will be compensated in the time period it occurred.
3. You must select either a 9-month OR 12-month payroll which **CAN NOT** be changed during the current school year.
4. If the 9-month pay plan is selected – the pay will equal the time sheet for each month.
5. If the 12-month pay plan is selected – the income will be averaged for 12 months and paid accordingly with the final check showing any corrections because of additional leave taken, etc.

Electronic Timecards

A ruling from the Department of Labor makes it compulsory to complete timecards showing each day you work. Please complete your electronic timecard daily. At the end of each pay period sign your electronic time card with your pin number, have your supervising teacher review and sign your electronic time card with his/her pin number, and submit your electronic time card by email to the BCK-SEI clerk/business manager and supervisor/coordinator by the 22nd day of each month by 4:30 p.m. If your teacher is absent the day your timecard is due, please wait to turn in your timecard until your teacher can sign with her pin number. The BCK-SEI office cannot accept timecards without supervising teacher's pin number. Your contract was figured on a specific number of hours worked per day. That is a maximum number of hours you can work per day. You cannot work more than the number of hours allowed to work per day times the number of school days per week, **unless you are helping with transportation or have been given special permission by the director.**

The new tiered level base pay rate to begin with the 2018-2019 school year.

Tier 1: IRC Classroom Paraprofessionals. Base rate of pay will be \$12.00 per hour.

Tier 2: IRC Classroom Paraprofessionals or STYLE paras who deal with severe student behaviors or other student needs which may require additional training. Base rate of pay will be \$13.65 per hour.

Tier 3: Paraprofessionals who work with our high needs students who may require diapering, feeding, lifting, and extra training to meet medical needs. Base rate of pay will be \$16.15 per hour.

Flex Time

If for some reason you have earned flex time your teacher must plan with you to use the earned flex time within the next **two pay periods or within 60 days** from the time flex time was earned. There will be no accumulation of flex time for use later. If flex time is not used within 60 days from earning it, you will lose what you have earned. It is your responsibility to keep track of your flex time and to make sure you use it within the required time frame.

Insurance/Fringe Benefits

An employer paid cafeteria Section 125 flexible fringe benefit plan, available to all BCK-SEI employees has been adopted. (June 2014)

An amount not to exceed federal limitations will be set aside for the 125-cafeteria benefit program for all certified and classified employees. If classified staff choose not to enroll in the employer paid plan, the classified staff member can instead choose to receive \$60 on a 12-month basis as a fringe benefit.

Mileage Reimbursement

Para Educators who run errands in their private cars during the school day for a school-related purpose will be paid the regular mileage rate per mile. Mileage forms must be filled out monthly

with one copy turned in to the BCK-SEI clerk/business manager by the last working day of each month. If the total is small, several months may be combined. Mileage checks are paid one or two days following the board meeting.

Probationary Period

The purpose of the probationary period is to provide the supervisor an opportunity to observe a new employee's capabilities and to gather additional background information. During the probationary period it gives the employer and the new employee the opportunity to see if the position the employee was hired for will be a good fit for everyone involved. During the probationary period, **which is 60 school days**, the supervising teacher will complete an evaluation during that time to let the new employee know how he/she is doing and what, if any, changes need to take place. All new Para Educators are on probation during the first sixty (60) days of their employment **that school is in session**. Termination can be granted without giving two -week notice as the employee is an at-will employee.

After the sixty (60) **school** day probation period is up, the Para Educator may begin using sick leave that has been accrued. During the first two years of employment accrued leave may be used only if available.

Retirement

All certified and non-certified employees working a total of 630 hours per year are automatically members of KPERS (Kansas Public Employees Retirement System). Adopted July 1, 2009, all employees will have six percent of their wages deducted, and the funds are deposited in a KPERS retirement account for the employee. The state provides a varying amount also. Upon retirement eligibility, the employee will have a monthly benefit. Money must be withdrawn within five years if the person leaves the position (and does not work elsewhere for a KPERS employer) and the employee has less than ten years of service.

GAOE Workers Compensation (See KFD) GAOE

All injuries, regardless if it requires a Doctor's visit or not must be reported to the Board Clerk immediately. The employee must submit a written documentation of what happened.

The district will participate in workers compensation as required by current statute. The combined workers compensation benefits and salary received under allowed paid leave shall not exceed one full day's pay.

All employees of the district shall be covered by workers compensation. Workers compensation coverage is provided for all employees regardless of assignment, length of assignment, and/or hours worked per day. Benefits are for personal injury from accident or industrial diseases arising out of and in the course of employment in the district.

An injured employee must notify the designated employer's workers compensation coordinator or, if the coordinator is unavailable, his or her supervisor within 20 days of the injury or within 20 days of repetitive trauma in order to be eligible for benefits.

The workers compensation plan will provide coverage for medical expenses and wages to the extent required by statute to those employees who qualify; however, the amount of workers

compensation benefits and paid leave benefits shall not exceed a regular daily rate of pay. An employee using paid leave in combination with workers compensation will be charged for one full or partial day of paid leave, as provided for in the applicable leave policy or the negotiated agreement, for each day of absence until the employee's paid leave is exhausted.

Any employee who is off work and receiving workers compensation benefits shall be required to provide the designated workers compensation coordinator with a written doctor's release before the employee is allowed to return to work. In addition, should the employee be released to return to work by a doctor and fail to do so, all benefits under paid leave shall terminate, and those benefits under workers compensation shall be restricted as provided by current statute.

Whenever an employee is absent from work and is receiving workers compensation benefits due to a work-related injury or is receiving district paid disability insurance, the employee may use available paid leave to supplement the workers compensation or district paid disability insurance payments. Workers compensation benefits and FMLA benefits provided in a board approved plan shall run concurrently if both are applicable.

In no event shall the employee be entitled to a combination of workers compensation benefits, district paid disability insurance, and salary in excess of his/her full salary. Available paid leave may be used for this purpose until 1) available paid leave benefits are exhausted; 2) the employee returns to work; 3) the employee is released by the medical provider and a position is offered by the employer, but the employee declines to return to work; or 4) employment is terminated. Paid leave shall be calculated on a prorata amount equal to the percentage of salary paid by the district.

Testing

The board, through its designated workers compensation coordinator, may require employees who claim or are involved in an accident in the course of employment to submit to a post-injury chemical test. This includes instances where the district administration or workers compensation coordinator has actual knowledge of an accident whether the employee has or has not requested medical treatment. If an employee refuses to submit to an employer requested post-injury chemical test, the employee forfeits all related workers compensation benefits as provided in K.S.A. 44-501(b)(1)(E). Chemical test collection, labeling, and performance shall meet the requirements found in K.S.A. 44-501(b)(3).

Choice of Physician

The board shall have the right to choose a designated health care provider to provide medical assistance to any employee who suffers an injury while performing their job. However, if the injured employee chooses to go to a medical provider other than the designated provider, the recovery for such expenses shall be limited to \$500.00.

Approved:

KASB Recommendation- 7/96; 2/98; 7/02; 4/07; 6/09; 12/14; 6/15; 6/19

Sick Leave

Full-time Para Educators (those working 6.2 or more hours per day) receive ten (10) days of paid sick leave per year or one day per pay period if the Para Educator is employed for less than one year. During the first two years of employment the Para Educator is on probation and can only use paid sick/personal leave as it is accrued. If the total ten (10) days is used and the Para Educator for some reason does not continue employment for the full year, all unearned sick leave already taken must be reimbursed to BCK-SEI by the Para Educator. If sick leave is not used by

the end of the current school year, the days accumulated will be carried over to the next school year. Paras may accumulate up to one hundred (100) sick days. Sick leave accrues at one day per pay period. **Sick leave may be taken in ¼ - day, ½ - day, or full-day increments.**

Sick leave may be used for personal illness, doctor/dentist appointments, and illness or funeral within the immediate family. Immediate family is defined as including husband, wife, children, mother, father, sisters, brothers, aunts, uncles, cousins, grandparents, grandchildren, and the corresponding in-laws, or anyone else residing with the family.

Get plenty of rest and stay home when sick. Don't expose everyone else!

Family Medical Leave Act of 1993 requires covered employees to provide up to twelve (12) weeks of unpaid, job protected leave to "eligible" employees for certain family and medical reasons. Employees are eligible if they have worked for a covered employer for at least ONE YEAR, and for 1,250 hours over the previous 12 months, and if there are at least 50 employees within 75 miles. The following policy will follow the federal guidelines for the Family and Medical Leave Act of 1993.

Unpaid leave must be granted for any of the following reasons:

(1) to care for the employee's child after birth, or placement for adoption or foster care; (2) to care for the employee's spouse, son or daughter, or parent, who has a serious condition; or (3.) for a serious health condition that makes the employee unable to perform the employee's job. Employee shall be given six (6) weeks family and medical leave, paid IF SICK LEAVE IS ACCRUED. With doctor's written request, released time, with pay if accrued sick leave is available, may be up to twelve (12) weeks. Additional time and sick leave may be used depending upon a doctor's recommendation. Both parents may use this policy with combined twelve (12) weeks on the same birth/adoption. [BCK-SEI Policy Handbook – Chapter IV, Part I, Section IV]

Personal Leave

Each full-time Para Educator shall be allotted three (3) paid personal days per year – one day every three pay periods. During the first two years of employment, Para Educators may only use personal leave as it is accrued. Permission for personal leave must be granted by the supervising teacher and the director, using the yellow "leave" form, at least **three days** in advance or can be granted on an emergency basis. **Personal leave may be used in ¼-day, or 1/2-day or full-day increments.** Personal leave shall not be taken immediately prior to or following a scheduled holiday, the first two weeks of school or the last two weeks of school without permission from the Director. As unused personal leave is non-accumulative, it will be added to sick leave at end of each school year.

Upon submitting a two-week notice, a para shall not use paid sick or personal leave during the last two weeks of employment.

Snow Days

Follow your building's schedule as to snow days. Your supervising teacher/building will notify you early in the A.M. (or the night before if possible) by telephone or text caster if your school will be closed. Be sure you are listed on your building's "calling tree." The Annex has a "snow day" calling tree for only those staff members based at the Annex. **You will be paid for three (3) snow days. Paras will be allowed to use available sick or personal leave for any snow days after three paid snow days. Board approved 4/6/2022**

School Closings

A Para Educator may not use sick or personal leave for school closings unless previously scheduled, due to weather, sporting events, or other circumstances that cause school to close.

Para Schedule/Absenteeism

Para Educator positions differ in the number of hours required. Check with your supervising teacher about your designated time of arrival and departure.

Absences

When absent from work, **which includes leaving early, arriving late for any reason**, the following steps are required:

1. Notify your supervising teacher **ASAP**.
2. Notify the Annex and/or the Supervisor/Coordinator by calling, texting or by email no later than 8 AM. **You are required to contact the Annex if you are late to work or you leave work early.**
3. Failure to notify the office or appropriate personnel can/will result in a verbal warning.
4. Complete the yellow leave notice form, document on your timecard that you were absent and the reason why you were absent.
5. Turn in **yellow leave notice form within three days** upon returning to work.

Attendance/Absenteeism policy

Attendance is an essential part of your job. It is important that you are here daily to work with the students. When you are absent the burden falls on your fellow colleagues.

If a Para Educator is absent for 3 or more consecutive days, upon returning to work a doctor's note must be presented to the annex office from a licensed physician indicating the nature of the medical absence. **Although you presented a doctor's note as to why you were absent it still does not excuse the days you were absent. The doctor's note is just letting BCK-SEI know that you were ill or in the hospital. Remember unsatisfactory attendance includes unexcused and excused absences.**

Unsatisfactory attendance includes but is not limited to abuse of sick leave, early departures, lateness, unexcused absences or **excused** absences that precede or follow regularly scheduled days off including sick leave without prior permission from the Director or Supervisor/Coordinator.

Excessive absences would be considered missing 4 or more times within one pay period. The accumulation of 15 days throughout the school year including excused or unexcused absences, lateness, or early departure would be considered excessive.

The only exception to the attendance policy is the employee must meet with the Director prior to being absent. The yellow leave form must be completed and signed by the supervising teacher and Director giving permission for the employee to be absent. An example would be if you need to have surgery and/or any other occurrence that will cause you to miss work for four days or more.

Prior Approval Means:

1. Getting permission from your supervision teacher.
2. Completing yellow leave form.
3. Talking to the Director or Supervisor/Coordinator to obtain their signature prior to being absent.
4. This is only if you are going to be absent from work four or more consecutive days.

Disciplinary Action:

When an employee has an excessive number of absences from work the following action will be taken:

A Verbal warning will be given when an employee has missed four or more times within a pay period without prior approval whether the absence was excused or unexcused. If a second verbal warning is given, the employee will be placed on a plan of improvement for attendance and will be given one pay period to show improvement in his/her attendance.

A Written warning will be given when an employee has missed six or more times within any pay period without prior approval whether the absence was excused or unexcused. The employee will have the next pay period to show improvement in his/her attendance. If the employee does not show improvement during that time the employee will be considered for suspension or termination from employment at the discretion of the Director of Special Education.

Breaks

According to state and federal labor laws, breaks are not required. Your supervising teacher may arrange for you to take a short break during the day, but this does not mean you will get a break every day. If given a break, use it, but don't abuse it.

Leaving Your Building During the Day

If you must leave the building during the day and this is not a regular part of your schedule, please follow these steps:

1. Clear it first through your supervising teacher.
2. Clear it through the school office.

Lunch Hour

All Para Educators will be scheduled a duty-free lunch. When school is dismissed early, and lunch is offered you must take your regularly scheduled lunch break.

School Calendar

The school districts do not always adopt the same school calendar. That means part of our staff may have to work one day while others don't. The BCK-SEI calendar is a combination of both district calendars. You will follow the calendar in the district in which you work.

SPECIAL SCHEDULING AND DUTIES

Para Educator's WorkDay

A Para Educator's workday will be from 8 am to 3:30 pm unless the supervising teacher receives prior approval from the Director. Para Educators may work only one day before school starts if supervising teacher has received permission from the Director. Para Educators do not work on days designated as Regular Education Teacher In-service/Parent-Teacher Conference or when school is canceled for students.

CPR/First Aid Training

Para Educators working with medically fragile students are required to take CPR, first aid and any other training that would be beneficial. This includes any Para Educator who transports students in a school vehicle. They will be reimbursed for their time ([online course](#)) and be given credit towards in-service hours.

Summer School/Extended School Year (ESY)

Certain students will qualify to receive services during summer school (ESY) as written in their IEP each year. Para Educators will be given the opportunity to fill the available positions during the summer session. A letter [or email](#) must be submitted to the BCK-SEI Director or Supervisor/Coordinator. First priority will be given to those Para Educators who are coming back to BCK-SEI in the fall.

DUTIES OUTSIDE THE CLASSROOM

Attendance at BCK-SEI and School Activities

Para Educators are strongly encouraged to participate in all BCK-SEI activities and in all school, activities involving their students, but they are not required to attend, nor are they paid. They may be required to supervise their students when there is a school program in which their

students are involved. Para Educators are paid only in instances when they are required to attend school activities with their student and must give advance notice to the Director on the upcoming school activity in which they must attend. The para will be paid for the time the student is participating in the school activity or program up to two hours of pay.

Breakfast/Lunch Duty/ Bus Duty

If you are asked to do breakfast, lunch, or bus duty; these duties will be supplemental contracts issued by each individual school district.

If you supervise students, they should follow the same rules in the lunchroom, which other students follow. Stress good table manners and courtesy. If your teacher assigns you to lunch duty, then he/she will provide you with a duty- free lunch at a different time.

Field Trip Responsibilities

Your teacher will tell you what responsibilities he/she expects from you on field trips. In general, your teacher will expect you to supervise activities and keep track of students. Expect students to behave as if they were in school. You may have to modify your expectations depending on the activity. For example, you would not expect students on a bus trip to the zoo to sit as quietly as you might expect them to do in the classroom. Do expect good behavior from them. If you are assigned students while on a field trip and don't get a duty- free lunch, you will get paid for lunch.

Recess Duty

You may be responsible for supervising students on the playground. Know the playground rules and make sure the rules are followed consistently. Do not hesitate to reprimand other students on the playground if they are not obeying rules or are engaging in an activity dangerous to themselves or others. Find out from your teacher what punishments are appropriate for playground misbehavior.

Work Supervision

In some classes, work program is part of the curriculum. You may be asked to supervise students during work program. Be sure you know what is expected of each student in each work assignment. Check daily to make sure they have completed the work satisfactorily. Demand the same discipline you would have in the classroom. If problems arise or you are unsure what to do in a situation, check with your teacher.

Transporting Students/School Vehicles - EDAA

It is BCK-SEI policy that no BCK-SEI Para Educator shall transport students in their private car. Any staff that transport students in a school vehicle must take the Triple A Defensive Improvement Program along with CPR and First Aid. **A current copy of your driver's license must be on file before you can transport students. If you must renew your license during the school year it is your responsibility to get a new copy to the Supervisor/Coordinator.** These classes will be provided by BCK-SEI. Your supervising teacher should contact the Director or Supervisor/Coordinator when students need transportation for school activities. Plan if you need to transport students.

Licensing of Drivers - EDAA

It shall be the responsibility of all school transportation providers to register with the Director annually the validity of license certification by the Kansas Department of Revenue. If a school transportation provider's license is suspended or revoked at any time, the suspension or revocation shall be reported to the Director, and the employee shall immediately cease driving a school vehicle and transporting students.

School transportation providers shall receive a copy of this policy annually on registering their driving certification with the Director.

PARA EDUCATOR PROFESSIONAL DEVELOPMENT

Kansas State Department of Education requires that each Para Educator complete staff development hours each school year. Beginning with the 2008-2009 school year, Para educator staff development requirements will be tiered based on the special education experiences and/or credentials of the Para educator. The first half of **professional development** hours is due by Dec. 15th and the remainder of the required **professional development** hours is due April 15th to the **Supervisor/Coordinator**. Additional hours can be submitted until the end of the school year **but will only count for the current school year**.

1. **20 Staff Development Hours Requirement**

Paras who have worked as a Kansas special education para for less than 3 consecutive years are to complete 20 hours of professional development if employed for 9 months during the school year.

2. **10 Staff Development Hours Requirement**

Paras who have worked as a Kansas special education para for 3 years or more consecutive years are to complete 10 hours of professional development if employed for 9 months during the school year. **Any Para Educator holding an Emergency or Substitute License will be required to complete 10 In-Service hours.**

3. **5 Staff Development Hours Requirement**

Paras that hold a current Kansas license/certificate in any of the following areas will attend professional development required by BCK-SEI in addition to keeping their license/certificate current. This does not include Emergency substitute or substitute endorsements.

Teacher

Related service provider, (SLP or OT, PT, etc.)

Occupational Therapy Assistant (OTA)

Physical Therapy Assistant (PTA) or;

Licensed Practical Nurse (LPN)

Commented [1]: extra space

If the Para Educator works less than the full school year, staff development hours are pro-rated according to the time she/he has been employed. The following table can be used to determine the number of staff development hours needed.

<u>Time of Employment</u>	<u>Hours Required</u>	<u>10 Hour Required</u>
Less than 1 month and 10 days	2	
Less than 2 months	3	2
Less than 2 months and 10 days	4	
Less than 3 months	5	3
Less than 3 months and 10 days	6	
Less than 4 months	7	4
Less than 4 months and 10 days	8	
Less than 5 months	9	5
Less than 5 months and 10 days	10	
Less than 6 months	11	6
Less than 6 months and 10 days	12	
Less than 7 months	13	7
Less than 7 months and 10 days	14	
Less than 8 months	15	8
Less than 8 months and 10 days	16	
Less than 9 months	18	9
9 months or more	20	10

Para Educators are required to attend the “beginning-of-the-year” professional development meeting held before school opens in the fall **and any other mandatory professional development meetings that BCK-SEI requires** throughout the school year that pertains to information a BCK-SEI Para Educator must know to perform his/her duties.

Optional monthly Para Educator informational meetings may be held by the inter-local or by the districts providing information a Para Educator might need and may be used towards annual professional development hours earned.

EVALUATION, RENEWAL, AND TERMINATION OF CONTRACT/RESIGNATION

Evaluation

Minimum standards of evaluation by supervising teachers:

All Para-educators will be evaluated once during the school year by February 15th. All new hires will be evaluated twice a year; once within the first 60 days and the second evaluation will be by February 15th during the first two years of employment.

If a Para Educator is reassigned or moved to another position/building/teacher, an evaluation will be conducted prior to October 15th first semester and the second prior to February 15th.

Renewal

If evaluations and attendance are good, Para Educators can feel reasonably certain of retaining their position for the next school year unless changes in student population do not warrant the position. If this should happen, the Para Educator will be given first chance at other Para Educator positions which are open at BCK-SEI provided the person is qualified for the position. Para Educators now employed have an opportunity to transfer to other Para Educator positions or new Para Educator positions in the BCK-SEI when they become available. Transfer is always subject to the approval of the BCK-SEI Director and the supervising teacher.

New contracts for the next school year will be issued as determined by the Board of Education. Para Educators who do not wish to continue employment should resign in writing by the end of the current school year.

Suspension

The Director shall have the authority to suspend a classified employee with or without pay or terminate the employment of a classified employee. If a suspension without pay is imposed on a classified employee, the employee is entitled to pay until the employee has been advised of the basis for suspension and has been given an opportunity to respond. (Per Board Policy Handbook)

Termination/Resignation

A Para Educator may decide, or the BCK-SEI may decide, to terminate a Para Educator's contract at any time with **two weeks' notice in writing**. Reasons for termination on the part of BCK-SEI might be failure to perform job duties satisfactorily, poor attendance, or inability to get along with the supervising teacher, etc. No Para Educator will be terminated by BCK-SEI for the above reasons without being made fully aware of the problems in advance, with numerous attempts to assist in helping the Para to improve. Para Educators will be treated fairly in all cases.

MEDICAL PROBLEMS

First Aid

Para Educators should become familiar with the location of the first aid supplies and review the first aid book. **If the student has a health care plan, follow the plan as written by the school nurse before seeking out the school nurse or office personnel unless it is an extreme emergency.** In most cases the school nurse or office personnel in the building will be the first person you will seek out if you have a first aid problem or illness. In the event the nurse is not available, and the problem is minor such as scratches and/or scrapes you will contact the school's designated person and follow his/her instructions. At this time, you may be given the "go ahead" to proceed per the First Aid Handbook. This information will be a part of your orientation. ALWAYS INFORM THE NURSE AND/OR YOUR TEACHER/OFFICE of anything that may be of a serious nature or that you are unsure about. Escort the child to the nurse/teacher or remain with the child and ~~summons~~ summons help. All staff must complete the Blood Borne Pathogens training yearly.

Medical

Many special needs students are on medication. Your supervising teacher will inform you if the student you work with takes medication at school. A written schedule of this should be available from your teacher. You may be responsible for reminding students to take their medication. In a regular school building, the school nurse dispenses all medication.

Seizures

Many special needs students are subject to seizures. Para Educators will take meds and seizure training with the school nurse at the beginning of each school year. This information will be a part of your orientation training.

CPR Training

All staff members will be trained in CPR, including but not limited to staff that ~~transport~~transportation students in school vehicles including the bus, those working with medically fragile students, and all preschool staff.

TEACHER SPECIALISTS AND THEIR ROLES

Para Educators may be working with several specialists besides the teacher in serving the needs of the students. Possible support personnel include occupational therapist, physical therapist, school psychologist, speech/language pathologist, and vocational/transition coordinator.

Occupational Therapist (OT) works primarily with students identified by the IEP team as needing services. He/She is mainly interested in fine motor movements – eating, grasping, small hand movements, etc. Para Educators will be trained to carry out daily activities.

Physical Therapist (PT) works primarily with students identified by the IEP team as needing services in their classes on a consultant basis. He/She may not see every student each time but budgets his/her time according to student needs. The physical therapist is mainly interested in the range of motion of a student and in large motor functions, such as standing, sitting, crawling, walking, etc. There will be activities for the Para Educators to carry out daily.

School Psychologist may offer suggestions for educational programming or managing a student. She will be in your classroom occasionally to evaluate or test a student. She will also need to collect a variety of data from other staff members, such as motor screening, health form, speech screening, and behavior rating scales.

Speech/Language Pathologists work with students in individual and group sessions with the help of speech Para Educators. With some students, he/she may not work directly with the students but consult with the teacher and make suggestions. Group activities involving the whole class may be conducted. Speech personnel are concerned with language development, voice, fluency, and articulation. Scheduling is done based on severity of the problem. He/She may provide speech activities for the Para Educators to carry out during the days he/she is not there.

Vocational/Transition Coordinator supervises and works with secondary students in vocational employment within the community to prepare the students for transition into independent living following graduation.

Each of these specialists may leave activities to be done with the child between their visits, and the teacher may delegate these activities to his/her Para Educator. Be sure you understand what you are to do and how you are to do it. Daily practice and repetition are very important.

HOW TO GET ALONG WITH YOUR SUPERVISING TEACHER

Communication!

1. **Communicate** with your teacher daily. Your teacher should set up a regular time for you and him/her to evaluate the day; discuss any problems, and plan for tomorrow.
2. Offer suggestions if asked. But don't get your feelings hurt if your suggestions aren't taken.
3. If you have an idea you would like to try, talk it over with your teacher.
4. Ask your teacher's opinion on your performance.
5. Discuss problems immediately with your teacher, don't keep them bottled up.
6. Try to follow all instructions as exactly given.
7. Ask if you don't understand.
8. Remember—all final decisions are up to your teacher. You work for him/her.
9. Be on time and be dependable.
10. Practice self-control.
11. Don't talk about school problems to people outside of school.
12. Leave "home" problems at home.
13. Be flexible and adapt to humorous and unusual situations as they occur.

Share Responsibilities. Offer to help equalize the work in the room. Don't wait to be told to do something. Look for things that need to be done. **KEEP BUSY!** Show enthusiasm for your job.

Be courteous to your teacher. Be his/her friend and team worker. Offer to help with little extras whenever you can, such as supervising an extra activity, helping with supervision for the class program. You'll be surprised how much you'll be appreciated.

Support your teacher. Don't "bad mouth" him/her. Don't be a complainer. Attend extra events (if you can) where he/she is involved or the students are, (even though your attendance is not required), such as PTO/PTA or other night programs, etc. Support is always appreciated.

Support your students and the special education program. Have a positive attitude and celebrate the progress each student makes. Even the smallest accomplishment can mean so much to a student.

Practice the Golden Rule. It always creates good feelings between people.

DISCIPLINE

Behavior Intervention

This method is very effective with most students. It can be used to reward good behavior and penalize inappropriate behavior. Ask your teacher to explain his/her methods and help you set up a behavior **intervention** program. **If a student has a behavior intervention plan be sure to follow the plan as written.**

Discipline Tips

In disciplining, the following hints may help:

1. Discuss discipline expectations and your role in the classroom with your supervising teacher and general education teacher.
2. Follow the example your teacher sets with discipline.
3. It is appropriate to show you are angry or tell the students you are angry, if you have your anger under control.
4. Take the initiative to correct behavior when it is your responsibility and the teacher is not available. Don't threaten the student with "I'll tell Mrs. Jones what you are doing." Don't expect the teacher to do all the disciplining.
5. Expect good behavior and don't settle for less. Be positive in your attitude and compliment good behavior.
6. The teacher should make sure the students understand the rules then everyone should consistently enforce them.
7. Don't take sides with the students against the teacher, and don't let the students work you against the teacher.
8. If a student is misbehaving, stop the behavior with a quiet command. This is more effective than yelling.
9. If a student runs from you when he/she is doing something wrong, don't chase him/her. Order the student firmly to come back. If he/she does not, seek help from your teacher or any staff that is available at the time.
10. You are responsible for the behavior of students in other classes, in the halls, or in the group you are supervising at the time – such as lunch duty, bus duty, or field trips.
11. Communicate daily with your teacher about discipline problems, asking his/her opinion on your performance.
12. Don't make threats! Make the discipline fit the situation.
13. Don't discuss students in front of other students.

Isolation/Time Out

Some students respond well to being sent away from the group as a matter of discipline. Let them decide when they are ready to return to the group and behave in an appropriate manner.

Removing Privileges

This is effective with most students. You will learn what privileges each student dislikes losing most. Always be consistent and firm when dealing with behavior issues.

BITS AND PIECES

Admission Fees to Activities

BCK-SEI staff members shall receive courtesy passes from the district in which they work in accordance with the courtesy passes issued regular district personnel.

Annex Office Schedule

The annex office is open from 7:30 to 4:30 with lunch hours staggered so someone is always available to answer the phone. If you wish to visit with the director later than 4:30, call to make sure he/she will be there. It is always wise to make an appointment since the director is often out of the office.

Board Meetings

BCK-SEI board meetings are held the **1st Wednesday after the first Monday of each month at 6 pm** unless it is a school holiday **or when otherwise noted**. Then they are held the following evening as the schedule allows. All staff members will receive minutes of the board meeting. Anyone is welcome to attend.

Computer/Internet Use

The computer is an instructional tool and not intended for personal use. Keep personal time on the computer/internet short.

Dress Code

Dress in accordance to building policy, which includes Friday “dress-down” day. Dress appropriately and professionally at all times. Wear comfortable shoes.

Fire Drills

Treat each drill as if it is the **REAL** thing for the safety of your students and yourself! Fire drills are required monthly. Ask your teacher the procedures for your class and what your responsibilities will be. Find out early in the year before any drills are held. Drills are unannounced and may come at any time. The signal for a fire drill may vary from building to building but is usually a steady ring or buzz.

Building Evacuation Procedures

1. Teachers are to be the last ones leaving the classroom. They are to take their grade books with them.
2. Check to make sure everyone is out and close the classroom doors and windows.
3. Students with limited mobility should evacuate the building at the same time as everyone else.
4. Teachers/Para Educators and students must follow the evacuation procedure posted by the classroom door.
5. Talking should not be permitted during a fire or storm drill. This includes while in the hall or outside.

Tornado Drill

Treat each drill as if it is the REAL thing for the safety of our students and yourself! Tornado drills are required three times per year. Ask your teacher the procedures for your class/school and what your responsibilities will be. Find out early in the year before any drills are held. Drills are unannounced and may come at any time. The signal for a tornado drill is a series of short rings or buzzes.

Local Purchases

Will be made using the Walmart card or the Dollar General charge card. Any other purchases need to be requisitioned through your teacher.

Personal Visits

Do not have friends, family, or business acquaintances visit you to talk about personal matters during working hours. If there is another reason they are coming (to show the class animal, slides, etc.) make arrangements with your teacher in advance. The workplace is not the place to bring your children or grandchildren.

Problems

If work problems arise and you have discussed them unsuccessfully with your teacher feel free to visit with the Supervisor/Coordinator or BCK-SEI Director at any time. We are glad to have you on our staff and we want you to enjoy working for BCK-SEI.

Suggestions

Suggestions by staff members to improve our special education services are always appreciated. Talk with the Director if you have suggestions for improvement. Please do not be offended if your suggestions are not taken.

Drug Free Schools

Employees are responsible for contacting the directors of the programs to determine the cost and length of the program, and for enrolling in the programs. A copy of this policy and a list of available drug and alcohol counseling programs shall be provided to all employees. (BCK-SEI Policy Handbook – Chapter IV, Part I, Section VIII –GAOB-R)

Drug Free Workplace

As a condition of employment in the district, employees shall abide by the terms of this policy. Any employee convicted under a criminal drug statute for a violation at the workplace must notify the director of the conviction within five days after the conviction. Within 30 days after the notice of conviction is received, the inter-local will take appropriate action with the employee. Such action may include the initiation of termination proceedings, suspension, placement on probationary status, or other disciplinary action. Alternatively, or in addition to any action short of termination, the employee may be required to participate satisfactorily in an

approved drug abuse assistance or rehabilitation program as a condition of continued employment. The employee shall bear the cost of participation in such program.

Each employee in the inter-local shall be given a copy of this policy. This policy is intended to implement the requirements of the federal regulations promulgated under the Drug Free Workplace Act of 1988, 34 CFR Part 85, Sub part F. It is not intended to supplant or otherwise diminish disciplinary personnel actions, which may be taken under existing board policies or the negotiated agreement.

The BCK-SEI Board believes that maintaining a drug free workplace is important in establishing an appropriate learning environment for the students of the district. The unlawful distribution, dispensing, possession or use of a controlled substance is prohibited in the district. (BCK-SEI Policy Handbook –Chapter IV, Part I Section VIII-GAOA-R)

GAAC Sexual Harassment (See GAF and JGEC)

GAAC

**GAAC
GAAC**

Sexual Harassment (See GAF and JGEC)

The board of education is committed to providing a positive and productive working and learning environment, free from discrimination on the basis of sex, including sexual harassment. The district does not discriminate on the basis of sex in admissions, employment, or the educational programs or activities it operates and is prohibited by Title IX from engaging in such discrimination. Discrimination on the basis of sex, including sexual harassment, will not be tolerated in the school district. Discrimination on the basis of sex of employees or students of the district in any district education program or activity is strictly prohibited.

Sexual harassment is unlawful discrimination on the basis of sex under Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, and the Kansas Act Against Discrimination. All forms of sexual harassment are prohibited at school, on school property, and at all school-sponsored activities, programs, or events within the United States. It shall be a violation for any employee to discourage a student or another employee from filing a complaint, or to fail to investigate or refer for investigation, any complaint lodged under the provisions of this policy. Violation of this policy by any employee shall result in disciplinary action, up to and including termination.

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

Sexual harassment may result from verbal or physical conduct or written or graphic material. Sexual harassment may include but is not limited to: verbal harassment or abuse of a sexual nature; pressure for sexual activity; repeated remarks to a person with sexual or demeaning implication; unwelcome touching; or suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning an employee's job status.

The district encourages all victims of sexual harassment and persons with knowledge of such harassment to report the harassment immediately. Complaints of sexual harassment will be

promptly investigated and resolved. Any person may make a verbal or written report of sex discrimination by any means and at any time.

Director of Special Education has been designated to coordinate compliance with nondiscrimination requirements contained in Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964 regarding discrimination on the basis of sex, and the Kansas Act Against Discrimination. Information concerning the provisions of these Acts, and the rights provided thereunder, are available from the Title IX Coordinator. Inquiries about the application of Title IX to the district may be referred to the Title IX Coordinator; to the Assistant Secretary for Civil Rights at the U.S. Department of Education, Office of Civil Rights, 400 Maryland Avenue, SW, Washington D.C. 20202-1100, (800)421-3481, or at OCR@ed.gov; or both.

Response to Harassment Complaints

The district takes all reports of sexual harassment seriously and will respond meaningfully to every report of discrimination based on sex, including sexual harassment, of which the district has actual knowledge. Employees who believe they have been subjected to sexual harassment should discuss the problem with their immediate supervisor. If an employee's immediate supervisor is the alleged harasser, the employee should discuss the problem with the building administrator or the Title IX Coordinator. All employees receiving reports of alleged sexual harassment shall notify the Title IX Coordinator.

Definitions

The following definitions apply to the district in responding to complaints of sexual discrimination including sexual harassment as defined by Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, and the Kansas Act Against Discrimination.

The "complainant" means an individual who is alleged to be a victim of conduct that could constitute sexual harassment.

"Dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved.

The "decision-maker" reviews all the evidence and prepares an impartial written responsibility determination as to whether the alleged conduct occurred and provides an opportunity for the parties and their representatives to prepare written questions to be answered by the other party. The decision-maker shall not be the Title IX Coordinator or investigator.

"Domestic violence" includes crimes of violence committed by a person who is a current or former spouse, partner, person with whom the victim shares a child, or who is or has cohabited with the victim as a spouse or partner, by a person similarly situated to a spouse of the victim under Kansas or applicable federal law, or by any other person against an adult or youth victim having protection from such person's acts by Kansas or applicable federal law.

A "formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the district investigate the allegation of sexual harassment.

The "investigator" is the person who carries out the investigation after the formal complaint is filed and conducts interviews of the witnesses, collects and documents evidence, and drafts an investigative report.

A "respondent" is an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

“Sexual assault” means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

“Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or to suffer substantial emotional distress.

The “Title IX Coordinator” is the individual designated at the district level who has responsibility to coordinate compliance with Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964 regarding discrimination on the basis of sex, and the Kansas Act Against Discrimination. The Title IX Coordinator’s responsibilities include, but are not limited to: developing materials and ensuring professional development occurs for staff involved in Title IX compliance, creating systems to centralize records, gathering relevant data, contacting the complainant (and/or parents or guardians, if applicable) once the district has actual knowledge of alleged sexual harassment, coordinating the implementation of supportive measures, signing a formal complaint to initiate a grievance process, and ensuring any remedies are implemented.

The Title IX Coordinator, any investigator, decision-maker, or any person who facilitates an informal resolution process shall not have a conflict of interest or bias for or against the complainant or respondent. These individuals shall receive training on the definition of sexual harassment; the scope of the education program and activities; how to conduct an investigation, including appeals and informal resolution processes; and how to serve impartially, including avoiding prejudgment of the facts, conflicts of interest, and bias. Decision-makers shall receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant. Investigators shall receive training on issues of relevance of questions and evidence in order for them to create investigative reports that fairly summarize relevant evidence.

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

Complaints received will be investigated to determine whether, under the totality of the circumstances, the alleged behavior constitutes sexual harassment under the definition outlined above. Unacceptable conduct may or may not constitute sexual harassment, depending on the nature of the conduct and its severity, pervasiveness, and persistence. Behaviors which are unacceptable but do not constitute harassment may also result in employee discipline.

If discrimination or harassment has occurred, the district will take prompt, remedial action to stop it and prevent its reoccurrence.

The Title IX Coordinator shall promptly respond in a meaningful way to any reports of sexual discrimination including sexual harassment of which the district has actual knowledge as follows:

- Contact the complainant within 10 business days and discuss the availability of supportive measures, with or without the filing of a formal complaint, and consider the complainant’s wishes as to supportive measures; and
- Inform the complainant of the right to a formal complaint investigation consistent with Title IX and the informal resolution process.

Supportive Measures

The district will treat the complainant and respondent equitably by offering supportive measures. These non-disciplinary and non-punitive measures will be offered as appropriate, as reasonably available, and without cost to the complainant or the respondent. Supportive measures are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party. "Supportive Measures" shall include, but not be limited to, measures designed to protect the safety of all parties, to protect the district's educational environment, or to deter sexual harassment. These measures may include counseling, extensions of deadlines or course-related adjustments, modifications of work or class schedules, escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring, and other similar measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

The Formal Complaint

No investigation of alleged sexual harassment may occur until after a formal complaint has been filed.

A formal complaint is a document filed by the complainant or signed by the Title IX Coordinator alleging sexual harassment and requesting an investigation. The procedures for filing a formal complaint are as follows:

- At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the district concerning which the formal complaint is filed.
- A formal complaint should be filed in writing and contain the name and address of the person filing the complaint. The complaint should briefly describe the alleged violation. Filing of the complaint with the Title IX Coordinator may be done in person, by mail, or by email. If an individual does not wish to file a written complaint, and the matter has not been adequately resolved, the Title IX Coordinator may initiate the complaint. Forms for filing written complaints are available in each school building office and the central office.
- A complaint should be filed as soon as possible after the conduct occurs, but not later than 180 calendar days after the complainant becomes aware of the alleged violation, unless the conduct forming the basis for the complaint is ongoing.
- An investigation shall follow the filing of the complaint. If the complaint is against the superintendent, the board shall appoint an investigating officer. In other instances, the investigation shall be conducted by a qualified individual designated by the Title IX Coordinator or another individual appointed by the board. The investigation shall be thorough. All interested persons, including the complainant and the respondent, will be afforded an opportunity to submit written or oral evidence relevant to the complaint.

Formal Complaint Notice Requirements

Upon filing of a formal complaint, the district shall provide written notice to the known parties including:

- Notice of the allegations of sexual harassment including sufficient details to prepare a response before any initial interview including:
 - the identities of the parties involved, if known;
 - the conduct allegedly constituting sexual harassment; and
 - the date and location of the alleged incident, if known.
- The district's investigation procedures, including any informal resolution process;

- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation;
- Notice to the parties they may have an advisor of their choice and may inspect and review any evidence; and
- Notice to the parties of any provision in the district's code of conduct or policy that prohibits knowingly making false statements or knowingly submitting false information.

If, in the course of an investigation, the investigator decides to investigate allegations about the complainant or respondent that are not included in the notice initially provided, notice of the additional allegations shall be provided to known parties.

Formal Complaint Investigation Procedures

To ensure a complete and thorough investigation and to protect the parties, the investigator shall:

- Ensure that the preponderance of the evidence burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the district and not the parties;
- Provide an equal opportunity for the parties to present witnesses and evidence;
- Not restrict either party's ability to discuss the allegations under investigation or to gather and present relevant evidence;
- Allow the parties to be accompanied with an advisor of the party's choice;
- Provide written notice of the date, time, location, participants, and purpose of any interview, meeting, or hearing at which a party is expected to participate;
- Provide the parties equal access to review all the evidence collected which is directly related to the allegations raised in a formal complaint, including the investigative report, and the opportunity to respond to that evidence before a determination is made;
- Be impartial and objectively evaluate all relevant evidence without relying on sex stereotypes;
- Not have conflicts of interest or bias for or against complainants or respondent;
- Not make credibility determinations based on the individual's status as complainant, respondent, or witness.

Formal Complaint Investigation Report

The investigator shall prepare an investigative report that fairly summarizes relevant evidence and share the report with the parties and their advisors for review and response.

Before completing the investigative report, the investigator must send each party and their advisors the investigative report for review and allow the parties 10 days to submit a written response for the investigator's consideration.

Decision-Maker's Determination

Upon receiving the investigator's report, the decision-maker must make a determination regarding responsibility and afford each party the opportunity to submit written, relevant questions that the parties want asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions.

The decision-maker must issue a written determination regarding responsibility based on a preponderance of the evidence. The decision-maker's written determination shall:

- Identify the allegations potentially constituting sexual harassment;

- Describe the procedural steps taken, including any notifications to the parties, site visits, methods used to gather evidence, and interviews;
- Include the findings of fact supporting the determination;
- Address any district policies and/or conduct rules which apply to the facts;
 - A statement of, and rational for, the result as to each allegation, including a determination regarding responsibility; and
- The procedures and permissible bases for the complainant and/or respondent to appeal the determination.

The written determination may, but is not required to, recommend disciplinary sanctions and any remedies designed to preserve access to the educational program or activity that may be provided by the district to the complainant.

A copy of the written determination shall be provided to both parties simultaneously.

The range of disciplinary sanctions and remedies may include, but may not be limited to, supportive measures, short term suspension, long term suspension, expulsion for students, and/or termination for employees. Complainants and respondents shall be treated equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made. The Title IX Coordinator is responsible for the effective implementation of any remedies. If the investigation results in a recommendation that a student be suspended or expelled, procedures outlined in board policy and state law governing student suspension and expulsion will be followed.

If the investigation results in a recommendation that an employee be suspended with or without pay or terminated, procedures outlined in board policy, the negotiated agreement (as applicable), and/or state law will be followed.

Records relating to complaints filed and their resolution shall be maintained by the Title IX Coordinator for seven years.

The decision becomes final on the date the parties receive the results of an appeal, if any appeal is filed, or on the date the opportunity for an appeal expires.

Appeals

The complainant or respondent may appeal the decision-maker's determination regarding responsibility or a dismissal of a formal complaint, on the following base:

- Procedural irregularity that affected the outcomes;
- New evidence that was not reasonably available at the time that could affect the outcome; and/or
- The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias against either party that affected the outcome.

The request to appeal shall be made in writing to the Title IX Coordinator within 10 days after the date of the written determination. Appeals shall be a review of the record by an attorney, an independent hearing officer appointed by the board, or the board. The appeal decision-maker may not be the Title IX Coordinator, the Investigator, or the decision-maker from the original determination.

The appeal decision-maker will issue a written decision within 30 days after the appeal is filed. The appeal decision-maker will describe the result of the appeal and the rationale for the result.

The appeal decision-maker shall:

- Review the evidence gathered by the investigator, the investigator's report, and the original decision-maker's determination;

- Notify both parties in writing of the filing of an appeal and give them an opportunity to submit further evidence in writing;
- Not have a conflict of interest or bias for or against complainant or respondent and receive the required training;
- Issue a written decision and the rationale for the decision within 30 days after the appeal is filed;
- Describe the result of the appeal and the rationale for the result in the decision; and
- Provide the written decision simultaneously to both parties and to the Title IX Coordinator.

Informal Resolution Process

At any time during the formal complaint process and prior to reaching a determination regarding responsibility, the district may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and determination of responsibility.

The informal resolution process may be facilitated by a trained educational professional, consultant, or other individual selected by the Title IX Coordinator under the following conditions:

- The parties are provided a written notice disclosing the allegations, the requirements of the informal resolution process, information on when it may preclude the parties from resuming a formal complaint arising from the same allegations;
- At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the investigation of the formal complaint and be informed of any consequences resulting from participating in the informal resolution process;
- The parties voluntarily and in writing consent to the informal resolution process; and
- The informal resolution process cannot be used to resolve allegations that an employee sexually harassed a student.

If the matter is resolved to the satisfaction of the parties, the facilitator shall document the nature of the complaint and the proposed resolution, have both parties sign the documentation and receive a copy, and forward it to the

Title IX Coordinator. Within 20 days after the complaint is resolved in this manner, the Title IX Coordinator shall contact the complainant to determine if the resolution of the matter remains acceptable. If the matter is not resolved, or if the individual does not believe the resolution remains acceptable within 20 days after the informal resolution document is executed, the individual or the Title IX Coordinator may proceed with the formal complaint process.

If discrimination or harassment has occurred, the district will take prompt, remedial action to prevent its recurrence. The district prohibits retaliation or discrimination against any person for opposing discrimination, including harassment; for participating in the complaint process; or making a complaint, testifying, assisting, or participating in any investigation, proceeding, or appeal.

Use of this complaint procedure is not a prerequisite to the pursuit of any other remedies including the right to file a complaint with the Office for Civil Rights of the U.S. Department of Education, the Equal Employment Opportunity Commission, or the Kansas Human Rights Commission.

Initiation of a complaint of sexual harassment in good faith will not adversely affect the job security or status of an employee, nor will it affect his or her compensation. Any act of retaliation or discrimination against any person who has filed a complaint or testified, assisted, or participated in any investigation, proceeding, or hearing involving sex discrimination including

sexual harassment is prohibited. Any person who retaliates is subject to immediate disciplinary action, up to and including termination of employment.

To the extent possible while still following the above procedures, confidentiality will be maintained throughout the investigation and resolution of a complaint. The desire for confidentiality must be balanced with the district's obligation to conduct a thorough investigation, to provide supportive measures to both parties, to take appropriate corrective action, and to provide due process to the complainant and the respondent.

False or malicious complaints of sexual harassment may result in corrective or disciplinary action against the complainant.

A summary of this policy and the complaint procedures including how to report or file a formal complaint of sex discrimination or sexual harassment shall be posted in each district facility, shall be published in employee handbooks, and on the district's website as directed by the Title IX Coordinator. Notification of the policy may include posting information notices, publishing in local newspapers, publishing in newspapers and magazines operated by the school, or distributing memoranda or other written communications to students and employees. In addition, the district is required to include a statement of nondiscriminatory policy in any bulletins, announcements, publications, catalogs, application forms, or other recruitment materials that are made available to participants, students, applicants, or employees.

Approved:

KASB Recommendation – 2/98; 8/98; 7/03; 6/04; 4/07; 6/15; 12/18; 06/20; 7/20; 6/21

GAACA Racial and Disability Harassment: Employees
(See GAF, JGECA and KN)

GAACA

The board of education is committed to providing a positive and productive working and learning environment, free from discrimination, including harassment, on the basis of race, color, national origin, or disability. Racial and disability harassment will not be tolerated in the school district. Racial or disability harassment of employees or students of the district in any district education program or activity is strictly prohibited.

Racial harassment is unlawful discrimination on the basis of race, color or national origin under Titles VI and VII of the Civil Rights Act of 1964, and the Kansas Acts Against Discrimination. Disability harassment is unlawful discrimination on the basis of disability under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. All forms of racial and disability harassment are prohibited at school, on school property, and at all school-sponsored activities, programs or events.

It shall be a violation for any employee to discourage a student or another employee from filing a complaint, or to fail to investigate or refer for investigation, any complaint lodged under the provisions of this policy.

Violations of this policy by any employee shall result in disciplinary action, up to and including termination.

Harassment prohibited by this policy includes racially or disability-motivated conduct which:

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

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

The district encourages all victims of racial or disability harassment and persons with knowledge of such harassment to report the harassment immediately. Complaints of racial or disability harassment will be promptly investigated and resolved.

Employees who believe they have been subjected to racial or disability harassment should discuss the problem with their immediate supervisor. If an employee's immediate supervisor is the alleged harasser, the employee should discuss the problem with the building principal or the district compliance coordinator. Employees who do not believe the matter is appropriately resolved

through this meeting may file a formal complaint under the district's discrimination complaint procedure in policy KN.

Complaints received will be investigated to determine whether, under the totality of the circumstances, the alleged behavior constitutes racial or disability harassment under the definition outlined above. Unacceptable conduct may or may not constitute racial or disability harassment, depending on the nature of the conduct and its severity, pervasiveness and persistence. Behaviors which are unacceptable but do not constitute harassment may also result in employee discipline.

If discrimination or harassment has occurred, the district will take prompt, remedial action to prevent its reoccurrence.

Any employee who witnesses an act of racial or disability harassment or receives a complaint of harassment from another employee or a student shall report the complaint to the building principal. Employees who fail to report complaints or incidents of racial or disability harassment to appropriate school officials may face disciplinary action. School administrators who fail to investigate and take appropriate corrective action in response to complaints of racial or disability harassment may also face disciplinary action, up to and including termination.

Initiation of a complaint of racial or disability harassment in good faith will not adversely affect the job security or status of an employee, nor will it affect his or her compensation. Any act of retaliation or discrimination against any person who has filed a complaint or testified, assisted, or participated in any investigation, proceeding, or hearing involving a racial or disability harassment complaint is prohibited. Any person who retaliates is subject to immediate disciplinary action, up to and including termination from employment.

To the extent possible, confidentiality will be maintained throughout the investigation of a complaint. The desire for confidentiality must be balanced with the district's obligation to conduct a thorough investigation, to take appropriate corrective action or to provide due process to the accused.

False or malicious complaints of racial or disability harassment may result in corrective or disciplinary action against the complainant.

A summary of this policy shall be posted in each district facility and shall be published in employee handbooks and on the district's website as directed by the district compliance coordinator. Notification of the policy shall be included in the school newsletter or published in the local newspaper annually.

Approved:

KASB Recommendation – 8/98; 7/03; 4/07; 9/12; 6/15; 12/18; 6/21GAAB

GAAB
Discrimination

Complaints of
GAAB

(See GAAC, GAACA, JDDC, JGEC, JGECA, KN, and KNA)

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

Discrimination against any individual on the basis of race, color, national origin, sex, disability, age, genetic information, or religion in the admission to, access to, treatment, or employment in the district's programs and activities is prohibited. (Position, address, email address, and phone number of the district compliance coordinator) has been designated to coordinate compliance with nondiscrimination requirements contained in Title VI and Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and The Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, the Personal Responsibility Work Opportunity Reconciliation Act of 1996, and the Food Stamp Act of 1977, as amended.

Complaints regarding alleged discrimination on the basis of sex, as prohibited by Title IX of the Education Amendments of 1972 and other federal and state laws regulating such discrimination and discriminatory harassment, shall be handled in accordance with the procedures outlined in board policies

GAAB Complaints of Discrimination

GAAB-2

GAAC and JGEC and shall be directed to the Title IX Coordinator at (Position or name, address, email address, and phone number of Title IX Coordinator). More information may be obtained on discrimination on the basis of sex by contacting the Title IX Coordinator.

Complaints alleging discrimination in child nutrition programs offered by the district shall be handled in accordance with the procedures outlined in board policy KNA, and more information may be obtained on procedures for such complaint by contacting the district compliance coordinator.

Complaints of discrimination should be addressed to an employee's supervisor or to the building principal or the compliance coordinator. Complaints against the superintendent should be addressed to the board of education.

Unless otherwise provided herein, complaints of discrimination will be resolved using the district's discrimination complaint procedures in policy KN.

The district prohibits retaliation or discrimination against any person for opposing discrimination, including harassment; for participating in the complaint process; or making a complaint, testifying, assisting, or participating in any investigation, proceeding, or hearing.

Approved:

KASB Recommendation – 2/98; 8/98; 4/07; 6/09; 6/15; 6/19; 6/20

GAAF Emergency Safety Interventions (See GAO, JRB, JQ, and KN) GAAP

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

This policy shall be made available on the district website with links to the policy available on any individual school pages. In addition, this policy shall be included in at

least one of the following: each school's code of conduct, school safety plan, or student handbook. Notice of the online availability of this policy shall be provided to parents during enrollment each year.

Definitions

"Campus police officer" means a school security officer designated by the board of education of any school district pursuant to K.S.A. 72-6146, and amendments thereto.

"Chemical Restraint" means the use of medication to control a student's violent physical behavior or restrict a student's freedom of movement.

"Emergency Safety Intervention" is the use of seclusion or physical restraint, but does not include physical escort or the use of time-out.

"Incident" means each occurrence of the use of an emergency safety intervention.

GAAF Emergency Safety Interventions

GAAF-2

"Law enforcement officer" and "police officer" mean a full-time or part-time salaried officer or employee of the state, a county, or a city, whose duties include the prevention or detection of crime and the enforcement of criminal or traffic law of this state or any Kansas municipality. This term includes a campus police officer.

"Legitimate law enforcement purpose" means a goal within the lawful authority of an officer that is to be achieved through methods or conduct condoned by the officer's appointing authority.

"Mechanical Restraint" means any device or object used to limit a student's movement.

"Parent" means: (1) a natural parent; (2) an adoptive parent; (3) a person acting as a parent as defined in K.S.A. 72-3122(d)(2), and amendments thereto; (4) a legal guardian; (5) an education advocate for a student with an exceptionality; (6) a foster parent, unless the student is a child with an exceptionality; or (7) a student who has reached the age of majority or is an emancipated minor.

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

"Physical Restraint" means bodily force used to substantially limit a student's movement, except that consensual, solicited, or unintentional contact and contact to provide comfort, assistance, or instruction shall not be deemed to be physical restraint.

GAAF Emergency Safety Interventions

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"School resource officer" means a law enforcement officer or police officer employed by a local law enforcement agency who is assigned to a district through an agreement between the local law enforcement agency and the district.

"School security officer" means a person who is employed by a board of education of any school district for the purpose of aiding and supplementing state and local law enforcement agencies in which the school district is located, but is not a law enforcement officer or police officer.

"Seclusion" means placement of a student in a location where all of the following conditions are met: (1) the student is placed in an enclosed area by school personnel; (2)

the student is purposefully isolated from adults and peers; and (3) the student is prevented from leaving, or reasonably believes that he or she will be prevented from leaving the enclosed area.

“Time-out” means a behavioral intervention in which a student is temporarily removed from a learning activity without being secluded.

Prohibited Types of Restraint

All staff members are prohibited from engaging in the following actions with all students:

- Using face-down (prone) physical restraint;
- Using face-up (supine) physical restraint;
- Using physical restraint that obstructs the student’s airway;
- Using physical restraint that impacts a student’s primary mode of communication;

GAAF Emergency Safety Interventions

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- Using chemical restraint, except as prescribed treatments for a student’s medical or psychiatric condition by a person appropriately licensed to issue such treatments; and
- Use of mechanical restraint, *except*:
 - Protective or stabilizing devices required by law or used in accordance with an order from a person appropriately licensed to issue the order for the device;
 - Any device used by a certified law enforcement officer to carry out law enforcement duties; or
 - Seatbelts and other safety equipment when used to secure students during transportation.

Use of Emergency Safety Interventions

ESI shall be used only when a student presents a reasonable and immediate danger of physical harm to such student or others with the present ability to effect such physical harm. Less restrictive alternatives to ESI, such as positive behavior interventions support, shall be deemed inappropriate or ineffective under the circumstances by the school employee witnessing the student’s behavior prior to the use of any ESI. The use of ESI shall cease as soon as the immediate danger of physical harm ceases to exist. Violent action that is destructive of property may necessitate the use of an ESI. Use of an ESI for purposes of discipline, punishment, or for the convenience of a school employee shall not meet the standard of immediate danger of physical harm.

ESI Restrictions

GAAF Emergency Safety Interventions

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A student shall not be subjected to ESI if the student is known to have a medical condition that could put the student in mental or physical danger as a result of ESI. The existence of such medical condition must be indicated in a written statement from the student’s licensed health care provider, a copy of which has been provided to the school and placed in the student’s file.

Such written statement shall include an explanation of the student's diagnosis, a list of any reasons why ESI would put the student in mental or physical danger, and any suggested alternatives to ESI. Notwithstanding the provisions of this subsection, a student may be subjected to ESI, if not subjecting the student to ESI would result in significant physical harm to the student or others.

Use of Seclusion

When a student is placed in seclusion, a school employee shall be able to see and hear the student at all times.

All seclusion rooms equipped with a locking door shall be designed to ensure that the lock automatically disengages when the school employee viewing the student walks away from the seclusion room, or in case of emergency, such as fire or severe weather.

A seclusion room shall be a safe place with proportional and similar characteristics as other rooms where students frequent. Such room shall be free of any condition that could be a danger to the student, well-ventilated, and sufficiently lighted.

GAAF Emergency Safety Interventions

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Training

All staff members shall be trained regarding the use of positive behavioral intervention strategies, de-escalation techniques, and prevention techniques. Such training shall be consistent with nationally recognized training programs on ESI. The intensity of the training provided will depend upon the employee's position. Administrators, licensed staff members, and other staff deemed most likely to need to restrain a student will be provided more intense training than staff who do not work directly with students in the classroom. District and building administration shall make the determination of the intensity of training required by each position.

Each school building shall maintain written or electronic documentation regarding the training that was provided and a list of participants, which shall be made available for inspection by the state board of education upon request.

Notification and Documentation

The principal or designee shall notify the parent the same day as an incident. The same-day notification requirement of this subsection shall be deemed satisfied if the school attempts at least two methods of contacting the parent. A parent may designate a preferred method of contact to receive the same-day notification. Also, a parent may agree, in writing, to receive only one same-day notification from the school for multiple incidents occurring on the same day.

Documentation of the ESI used shall be completed and provided to the student's parents no later than the school day following the day of the incident. Such written documentation shall include: (A) The events leading up to the incident; (B) student behaviors that necessitated the ESI; (C) steps taken to

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transition the student back into the educational setting; (D) the date and time the incident occurred, the type of ESI used, the duration of the ESI, and the school personnel who used or supervised the ESI; (E) space or an additional form for parents to provide feedback or comments to the school regarding the incident; (F) a statement that invites and strongly encourages parents to schedule a meeting to discuss the incident and how to prevent future

incidents; and (G) email and phone information for the parent to contact the school to schedule the ESI meeting. Schools may group incidents together when documenting the items in subparagraphs (A), (B) and (C) if the triggering issue necessitating the ESIs is the same.

The parent shall be provided the following information after the first and each subsequent incident during each school year: (1) a copy of this policy which indicates when ESI can be used; (2) a flyer on the parent's rights; (3) information on the parent's right to file a complaint through the local dispute resolution process (which is set forth in this policy) and the complaint process of the state board of education; and (4) information that will assist the parent in navigating the complaint process, including contact information for Families Together and the Disability Rights Center of Kansas. Upon the first occurrence of an incident of ESI, the foregoing information shall be provided in printed form or, upon the parent's written request, by email. Upon the occurrence of a second or subsequent incident, the parent shall be provided with a full and direct website address containing such information.

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Law Enforcement, School Resource, and Campus Security Officers

Campus police officers and school resource officers shall be exempt from the requirements of this policy when engaged in an activity that has a legitimate law enforcement purpose. School security officers shall not be exempt from the requirements of this policy.

If a school is aware that a law enforcement officer or school resource officer has used seclusion, physical restraint, or mechanical restraint on a student, the school shall notify the parent the same day using the parent's preferred method of contact. A school shall not be required to provide written documentation to a parent, as set forth above, regarding law enforcement use of an emergency safety intervention, or report to the state department of education any law enforcement use of an emergency safety intervention. For purposes of this subsection, mechanical restraint includes, but is not limited to, the use of handcuffs.

Documentation of ESI Incidents

Except as specified above with regard to law enforcement or school resource officer use of emergency safety interventions, each building shall maintain documentation any time ESI is used with a student. The documentation shall include all of the following:

- Date and time of the ESI,
- Type of ESI,
- Length of time the ESI was used,
- School personnel who participated in or supervised the ESI,
- Whether the student had an individualized education program at the time of the incident,

GAAF Emergency Safety Interventions GAAF-9

- Whether the student had a section 504 plan at the time of the incident, and
- Whether the student had a behavior intervention plan at the time of the incident.

All such documentation shall be provided to the building principal, who shall be responsible for providing copies of such documentation to the superintendent or the

superintendent's designee on at least a biannual basis. At least once per school year, each building principal or designee shall review the documentation of ESI incidents with appropriate staff members to consider the appropriateness of the use of ESI in those instances.

Reporting Data

District administration shall report ESI data to the state department of education as required.

Parent Right to Meeting on ESI Use

After each incident, a parent may request a meeting with the school to discuss and debrief the incident. A parent may request such meeting verbally, in writing, or by electronic means. A school shall hold a meeting requested under this subsection within 10 school days of the parent's request. The focus of any such meeting shall be to discuss proactive ways to prevent the need for emergency safety interventions and to reduce incidents in the future.

For a student with an IEP or a Section 504 plan, such student's IEP team or Section 504 plan team shall discuss the incident and consider the need to conduct a functional behavioral assessment, develop a behavior intervention plan, or amend the behavior intervention plan if already in existence.

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For a student with a section 504 plan, such student's section 504 plan team shall discuss and consider the need for a special education evaluation. For students who have an individualized education program and are placed in a private school by a parent, a meeting called under this subsection shall include the parent and the private school, who shall consider whether the parent should request an individualized education program team meeting. If the parent requests an individualized education program team meeting, the private school shall help facilitate such meeting.

For a student without an IEP or Section 504 plan, the school staff and the parent shall discuss the incident and consider the appropriateness of a referral for a special education evaluation, the need for a functional behavioral assessment, or the need for a behavior intervention plan. Any such meeting shall include the student's parent, a school administrator for the school the student attends, one of the student's teachers, a school employee involved in the incident, and any other school employees designated by the school administrator as appropriate for such meeting.

The student who is the subject of such meetings shall be invited to attend the meeting at the discretion of the parent. The time for calling such a meeting may be extended beyond the 10-day limit if the parent of the student is unable to attend within that time period. Nothing in this section shall be construed to prohibit the development and implementation of a functional behavior assessment or a behavior intervention plan for any student if such student would benefit from such measures.

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Local Dispute Resolution Process

If a parent believes that an emergency safety intervention has been used on the parent's child in violation of state law or board policy, the parent may file a complaint as specified below.

The board of education encourages parents to attempt to resolve issues relating to the use of ESI informally with the building principal and/or the superintendent before filing a formal complaint with the board. Once an informal complaint is received, the administrator handling such complaint shall investigate such matter, as deemed appropriate by the administrator. In the event that the complaint is resolved informally, the administrator must provide a written report of the informal resolution to the superintendent and the parents and retain a copy of the report at the school. The superintendent will share the informal resolution with the board of education and provide a copy to the state department of education.

If the issues are not resolved informally with the building principal and/or the superintendent, the parents may submit a formal written complaint to the board of education by providing a copy of the complaint to the clerk of the board and the superintendent within thirty (30) days after the parent is informed of the incident.

Upon receipt of a formal written complaint, the board president shall assign an investigator to review the complaint and report findings to the board as a whole. Such investigator may be a board member, a school administrator selected by the board, or a board attorney. Such investigator shall be informed of the obligation to maintain confidentiality of student records and shall report

GAAF Emergency Safety Interventions

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the findings of fact and recommended corrective action, if any, to the board in executive session.

Any such investigation must be completed within thirty (30) days of receipt of the formal written complaint by the board clerk and superintendent. On or before the 30th day after receipt of the written complaint, the board shall adopt written findings of fact and, if necessary, appropriate corrective action. A copy of the written findings of fact and any corrective action adopted by the board shall only be provided to the parents, the school, and the state department of education and shall be mailed to the parents and the state department within 30 days of the board's receipt of the formal complaint.

If desired, a parent may file a complaint under the state board of education administrative review process within thirty (30) days from the date a final decision is issued pursuant to the local dispute resolution process.

Approved:

KASB Recommendation – 6/13; 12/13; 6/15; 6/16; 6/18; 12/18

GAT Staff Use of communication Devices (See IIBG and IIBGC)

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

Definitions

“Communication device” is defined to include all portable devices that send or receive calls or text messages, allow the retrieval of email, or provide access to the Internet.

Communication devices shall include, but may not be limited to cell phones, smart phones, iPads, and tablets.

“Use/Using” for the purposes of this policy mean answering or talking on the phone; sending or responding to a text, e-mail, or other communication; opening and viewing pictures or digital recordings; opening and listening to music or audio communications; accessing social media websites; playing games on such device; continuously checking a communication device; or any activity with a communication device that interferes with the employee’s job duties or appropriate supervision of students.

General Use

The district prohibits employees from using any communication device that interrupts or disrupts the performance of duties by the employee or otherwise interferes with district operations, as determined by the employee’s supervisor. This prohibition applies regardless of whether the communication device used is owned by the employee or provided by the district. Employees are responsible for keeping communication devices secure and, if possible, password protected.

Supervision of students and the provision of academic instruction are priorities in the district, and employees who are responsible for supervising and/or providing academic instruction to students must concentrate on these tasks at all times. Employees shall not use communication devices when they are responsible for supervising students or when their doing so interrupts or interferes with classroom instruction unless any of the following conditions occurs:

- The device is being used to instruct the students being supervised at the time;
- The use is necessary to the performance of an employment-related duty;
- The employee has received specific and direct permission from a supervisor to do so; or
- There is an emergency.

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

Use in Vehicles

Regardless of other provisions of this policy, unless there is an emergency, employees shall not use communication devices when:

- Driving district-provided vehicles; Operating a vehicle in which a student is being transported when the transportation is provided as part of the employee’s job; or
- Supervising students who are entering or exiting a vehicle, crossing thoroughfares, or are otherwise attempting to safely reach their destinations.

Even in emergency situations, employees should first take all possible safety precautions before using communication devices. Employees are subject to local, state, and federal laws governing use of cell phones while driving and will be solely responsible for all traffic violation liabilities resulting from their use of a phone while driving.

Use of District-Provided Communication Devices

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

Employees are expected to exercise reasonable care to protect district-provided communication devices from damage or theft and must report any such incidents immediately.

The district may require employees to reimburse the district for any damage or theft that was the result of the employee’s negligence. Users of district-provided communication devices must abide by any use limitations included in the district’s service contract.

Personal Use of District-Provided Communication Devices

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

Staff Bring Your Own Device Policy

Use of employees' personal communication devices during work hours shall be restricted to classroom or work-related activities. Such personal communication devices may only be used by the staff member and are not for student use. The security of personal computing devices is solely the responsibility of the staff member. Any loss resulting from damage or theft of personal communication devices in the school setting is not the responsibility of the district.

Approved: KASB Recommendation – 6/14; 12/14

Telephone

Use the telephone for business calls only. Keep calls short. It is all right to use the phone for short personal calls if you must contact someone during the working day or have them contact you. Do not make it a general practice to have calls at work. Instruct persons to call you at home except in emergencies. Usually at school you will not be interrupted in class for a call, but a message will be taken so you can return the call at your convenience. Ask your teacher to explain the use of the key telephone and intercom to you.

Cell Phone/Texting/Social Media

Cell phones should be turned off or on vibrate during the school day. Your phone should not be in plain sight nor should you be on your phone when working with students. The only time texting and cell phone use will be allowed is during lunch and during your break. The use of cell phones should be out of the view of students. You should not be on social media during school hours as parents do not know when you take your lunch or when your break times are during the day.

Social Networking Websites

The School Board discourages Inter-local staff from socializing with students outside of school in person or on social networking websites, including but not limited to Facebook, Twitter, etc.

All Inter-local employees, faculty and staff who participate in social networking websites, shall not post any school district data, documents, photographs or other district owned or created information on any website. Further, the posting of any private or confidential school district material on such websites is strictly prohibited.

Inter-local employees are prohibited from engaging in any conduct on social networking websites that violates the law, school board policies, or other standards of conduct. Employees who violate this policy may face discipline and/or termination, in line with other school board policies and/or collective bargaining agreements, if applicable.

Nothing in this policy prohibits employees, faculty, staff or students from the use of education websites if such sites are used solely for educational purposes.

Access of social networking websites for individual use during school hours is prohibited. (Board Approved on June 14, 2010)

Incident Report

Incident reports should be completed that are noteworthy; such as behavior incidents, injuries, etc.

BROWN COUNTY KANSAS SPECIAL EDUCATION INTERLOCAL #615
301 South 1st Street – Hiawatha, KS 33434
“Serving the students of USD #415 - Hiawatha & USD # 430 – South Brown County,
Horton”

John West, Director

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June 2025