



JUNE 2019 KASB POLICY UPDATES

To: Member Unified School Districts and other Member Organizations
From: Angie Stallbaumer, KASB Senior Attorney
Re: Recommended Board Policy Updates

For all our empty nesters missing the pitter patter of little to not-so-little feet in your school buildings, we have a distraction. That's right, it's policy update time.

Many of the changes proposed were regarded as best practice shifts by our legal department, some resulted from legislative changes or shifts in Federal executive branch recommendations, and others were simple grammatical fixes. Please find an explanation of the addition or revision concerning each policy recommendation following this letter.

KASB has posted these updates on our website. The instructions to access the policy updates have been added immediately below this letter.

As always, please feel free to direct any questions concerning these policies to me at astallbaumer@kasb.org or 1-800-432-2471, or, if you just need documents sent your way, feel free to email Leslie Garner, our legal assistant/paralegal, at lgarner@kasb.org.

Sincerely,

Angie Stallbaumer

KASB Senior Attorney

JUNE 2019 UPDATED KASB POLICIES AND FORMS

POLICY OR FORM CODE OR DESCRIPTION	RATIONALE FOR RECOMMENDED REVISION OR ADDITION	RECOMMENDED ACTION
CGK (Suspension) → New Policy	We added language similar to what we have for licensed and classified staff into the administrative section of the policy manual concerning suspending administrators. The superintendent would have the authority to suspend district administrators with pay pending further board action.	Review and adopt if lacking policy language on this topic and if the language is reflective of current practice.
CM (Policy Implementation) → Revised Policy	This policy has authorized the suspension of administrators, among other disciplinary actions, for failing to implement board policy. Since we added policy language in CGK authorizing the superintendent to suspend with pay for this reason, we specified that board action would only be required to suspend without pay.	Review and adopt the policy, if CGK is adopted.
CN (Public Records) → Revised Policy	Our members were requesting more detail in policy regarding the provision of copies of district records and what fees were acceptable to charge to requesting parties. This policy has been revised to add in more language from the Kansas Open Records Act, specifically K.S.A. 45-218 and K.S.A. 45-219. Please note that we left a blank you may fill in to specify the cost of making paper copies of records.	Review and adopt if preferred to old language.
CNA (Document Production) → Revised Policy	This update provides that litigation holds on records may cease as soon as the legal action causing the hold ends.	Review and adopt.
EBBE (Emergency Drills) → Revised Policy	Senate Bill 128, which passed this legislative session, amended present law concerning district requirements for fire, tornado, and crisis drills. This policy now summarizes the number of each type of drill required to be performed and provides more detail as to timing and manner of performance.	Review and adopt.

<p>GAA (Goals and Objectives) → Revised Policy</p>	<p>A reference to “children” was replaced with “students” to more accurately reflect the population served by school staff.</p>	<p>Review and adopt if preferred to old policy.</p>
<p>GAAA (Equal Employment Opportunity and Nondiscrimination) → Revised Policy</p>	<p>The Equal Employment Opportunity Commission’s website was consulted regarding its recommended nondiscrimination statements for employees and applicants for employment in rewriting this policy. The EEOC is the agency responsible for enforcing federal laws regarding discrimination or harassment against a job applicant or employee in the United States.</p> <p>Changes include the addition of language saying the district will not discriminate against employees or applicants based on their genetic information. This protection is based on federal law.</p> <p>Note that the most recent EEOC guidance, issued during the Obama Administration, interprets prohibitions on discrimination or harassment based on “sex” to prohibit discrimination and harassment based on pregnancy, sexual orientation, and gender identity. It is not clear whether the Trump Administration has approved this position or if revision to the most recent guidance in this area is still forthcoming. The EEOC is basing its recommendation on several court cases interpreting the law to cover these bases.</p> <p>To date, the KASB legal staff has not recommended expanding the protected classes covered in district nondiscrimination policies to cover gender identity or sexual orientation, as federal and state statutes and regulations do not presently do so. The KASB legal department does not want to recommend our schools add</p>	<p>Review and adopt. Additions to protected categories may be made in the discretion of the individual board.</p>

language and assume more liability than they are required by law to assume. However, we recommend claims of discrimination or harassment due to pregnancy, gender identity, or sexual orientation be handled using the same procedures outlined in your sexual harassment policy which prohibits discrimination and harassment based on sex.

If your board wishes to expand its categories to include pregnancy, sexual orientation, and gender identity, it may certainly do so. Note the U.S. Department of Education has not expanded its nondiscrimination statements to cover these areas yet. So, if your board chooses to expand its policies for staff and not students, it will need to be prepared to explain why they are protected classes for staff but not students under revised policy. Or boards need to be comfortable with making an across the board addition of those topics to both students' and staff members' policies.

Additional changes to this policy include a statement that the district will make reasonable accommodations to employees and applicants for employment for medical or religious reasons as required by law. Also, updated contact information for entities which may receive complaints was included for compliance purposes.

GAAB (Complaints of Discrimination)
→ Revised Policy

This is the policy on complaints of discrimination for staff. As discussed in the previous entry, genetic information was added to the list of characteristics upon which discrimination and harassment are prohibited.

Review and adopt.

GACB (Job Descriptions) →
Revised Policy

Board approval of any new or revised job descriptions is recommended by

Review and adopt if

	our legal staff members, so we added this to our policy.	preferred to old policy.
GACC (Recruitment and hiring) → Revised Policy	The KASB legal staff members recommend extending offers of employment in writing and requiring written acceptance as part of the hiring process. This creates a paper trail and provides evidence of the parties' agreement to enter into the employment relationship in case a new hire attempts to back out of the arrangement prior to signing a contract for the next school year.	Review and adopt if preferred.
GACCA (Nepotism) → Revised Policy	<p>The nepotism policy was expanded to put restrictions on hiring individuals residing with board members. Similarly, administrators would not be able to directly supervise or evaluate members of their households.</p> <p>We understand this policy may not be workable for some districts. If finding this policy too limiting, please feel free to keep as little or as much of it in place as works for your district.</p> <p>We have found, though, that often the same conflicts of interest present themselves when employees are supervising their roommate or life partner as when the employees supervise their spouses. This revision was meant to minimize those conflicts as much as possible.</p>	Review and adopt if preferred. Nepotism policies are not required by law.
GACE (Assignment and Transfer) → Revised Policy	<p>We have found that the superintendent, not the board, is often making transfers, assignments, and reassignments. We offer this policy to provide authority for this practice.</p> <p>For boards wishing to delegate these responsibilities to the superintendent in all cases, the final paragraph could be further changed to say, "The board delegates its authority to assign, reassign, or transfer employees to the superintendent."</p>	Check your negotiated agreement(s) for any conflict with this policy. Otherwise, review and adopt if preferred to old policy.

	We recommend not negotiating away the board’s authority to transfer and reassign staff members.	
GAE (Complaints) → Revised Policy	A comma and a “the” were added.	Review and adopt if preferred to old policy.
GAG (Conflict of interest) → Revised Policy	A comma was added.	Review and adopt if preferred to old policy.
GAHB (Political Activities) → Revised Policy	<p>While state law, specifically K.S.A. 25-4169a, prohibits the use of public funds, vehicles, machinery, equipment, or supplies of a district or the work time of an employee to advocate for particular candidates for election, it does not prohibit the use of these resources for advocacy on political issues.</p> <p>This expansion of policy was added in 2015 when there was an above-average number of employees using district email accounts, staff time, and their employer’s paper products and postage to send letters to legislators and other staff concerning political issues.</p> <p>As legislation concerning schools can impact student achievement and contain unintended consequences for school districts, board members and administrators are often called to testify before legislative committees or provide input on legislative policy. A definition of “advocacy of any political issue” was added to exclude providing information on educational matters to elected officials.</p>	Review and adopt if preferred to old policy.
GAOE (Workers Compensation) → Revised Form	Our members have been having trouble reconciling the 20 days employees have to report work-related injuries under K.S.A. 44-520 with their accident-related drug testing requirements for workers compensation.	Review and adopt if preferred to old policy.

The 20-day window employees have to provide employers with notice of injury gives employees the opportunity to let the influence of drugs and/or alcohol wear off before reporting, so they are not disqualified from receiving workers compensation-related benefits as they may be if drug testing occurred right after the accident.

This language clarifies that our members may still require post-accident testing once administrators have actual knowledge of a work-related accident. Employees refusing such testing may be denied workers compensation benefits if sought in the future.

<p>GBH (Supervision) → Revised Policy</p>	<p>References to “certified” staff were replaced with “licensed” staff since teachers have licenses now and not certificates.</p>	<p>Review and adopt if preferred to old policy.</p>
<p>GBN (Nonrenewal and Termination) → Revised Policy</p>	<p>Language was added to this policy on nonrenewing and terminating members of the bargaining unit. It provides these actions will be done in accordance with Kansas law “and the negotiated agreement, as applicable”.</p>	<p>Review and adopt if preferred to old policy.</p>
<p>GBRD (Staff Meetings) → Revised Policy</p>	<p>A reference to “certified” personnel was changed to “licensed” personnel.</p>	<p>Review and adopt if preferred to old policy.</p>
<p>GBRH (Leaves and Absences) → Revised Policy</p>	<p>As most districts have negotiated language covering leaves and absences for licensed staff, most of the specific language on leaves was removed, and the policy now simply references providing leaves as required by law and the negotiated agreement.</p>	<p>Review and adopt if preferred to old policy.</p>
	<p>Our members that do not negotiate could easily modify this to say leave will be provided in accordance with the law and the Licensed Employee Handbook, if desired.</p>	

IFC (Community Resources) → Revised Policy	Another reference to “certified” staff was changed to “licensed” staff.	Review and adopt if preferred to old policy.
IJ (Evaluation of Instructional Program) → Revised Policy	This policy was revised to remove a reference to a policy no longer in effect.	Review and adopt.
JBC (Enrollment) → Revised Policy	<p>Senate Bill 16, which was passed this legislative session, requires the reduction of school funding for students enrolled in Kansas schools but residing in other states. This policy was revised to allow residence outside of the state of Kansas to be a factor considered when electing whether to enroll or allow continued enrollment for non-resident students.</p> <p>As this is more an issue for our border districts, we have not included more detailed language on out of state student enrollment in this policy. However, we have developed a sample policy for consideration which would allow districts to charge fees to reclaim lost funding if these students are enrolled. If your district needs this language, please contact Leslie or me, and we will send it your way.</p>	Review and adopt if preferred to old policy.
TOTAL=	1 New Policy 22 Existing Policy Revisions Table of Contents Chapter C Table of Contents Chapter G Table of Contents Chapter I Table of Contents Chapter J	

Source: KASB Legal and Policy Services

CGK Suspension

CGK

The superintendent shall have the authority to suspend district administrators with pay pending further board action.

The superintendent may suspend administrators with pay for any reason, including, but not limited to, one or more of the following: alleged violation of or failure to implement board policy, rule, or regulation; refusal or failure to follow a reasonable directive of the administrator's supervisor, the superintendent, or the board; the filing of a complaint against the administrator with any civil or criminal authority; the alleged commission of an offense involving moral turpitude; or other good cause.

If a suspension without pay is imposed on an administrator, the administrator is entitled to pay until the administrator has been advised of the basis for suspension and has been given an opportunity to respond.

Approved:

KASB Recommendation – 6/19

CM Policy Implementation (See BDA, CGK, CMA, GAA, and JA)

CM

Administrative employees who fail to implement board policies may, by board action, be suspended without pay, demoted, placed on probation, nonrenewed, or terminated.

Approved:

KASB Recommendation – 6/00; 01/02; 4/07; 6/19

CN **Public Records**

CN

(See BE, CNA, ECA, HAI, IDAE, II, JGGA, and JR et seq.)

The board designates {the superintendent/other title} as its Freedom of Information Officer. The Freedom of Information Officer shall have the authority to establish and maintain a system of records in accordance with the Kansas Open Records Act and other applicable laws. The board further assigns {the clerk/or_____} to handle requests for records and to serve as the custodian of the records. The custodian shall prominently display and distribute or otherwise make available to the public a brochure concerning record access in the form prescribed by the local Freedom of Information Officer.

Types of Records

A public record means any recorded information, regardless of form or characteristics, which is made, maintained, kept by, or in the possession of the district, including those exhibited at public board meetings.

Central Office Records

Records maintained by the superintendent shall include, but may not be limited to, the following: financial, personnel, and property (both real and personal) owned by the district.

Building Records

Records maintained by the building principals shall include, but may not be limited to, the following: activity funds, student records, and personnel records.
(See JR et seq.)

Public Access

All records, except those subject to exception by the Kansas Open Records Act, shall be open to inspection by the general public during regular office hours of any school or the district office. The superintendent will establish procedures for making records available on normal business days when district offices are closed. The district may charge and require advance payment of a fee for providing access to or furnishing copies of public records.

Requests for access to open records shall be made in writing to an official custodian of district records. The official custodian shall examine each request to determine whether the record requested is an open record or is subject to an exception of the Kansas Open Records Act that would allow the record to remain closed. The custodian may also refuse to provide access to a public record or to permit inspection if a request places an unreasonable burden in producing public records or if the custodian has reason to believe that repeated requests are intended to disrupt other essential functions of the district. The custodian shall either grant or deny each request.

If the custodian does not grant the request, the person requesting the record shall receive a written explanation of the reason for the denial within three days of the request, if an explanation is requested. If the requester disagrees with the explanation, the freedom of information officer shall settle the dispute.

Each request for access to a public record shall be acted upon as soon as possible, but not later than the end of the third business day following the date that the request is received. If the request is not acted on immediately,

the custodian shall inform the requester, within the three-day window, when and where the open record will be made available.

Each custodian shall file all requests and their dispositions in the appropriate office and make reports as requested by the superintendent or the board.

CN Records

CN-3

Copies of Records

Copies of open records shall be available upon written request, unless otherwise specified in Kansas or federal law. Requestors may only make abstracts or obtain copies of public records to which they have access under the Kansas Open Records Act. The district shall not be required to provide copies of radio or recording tapes or discs, video tapes, films, pictures, slides, graphics, illustrations, or similar audio or visual items or devices, unless such items or devices were shown or played during open session of a district board meeting. Similarly, the district shall not be required to provide such items or devices which are copyrighted by a person other than the board. Furthermore, nothing in the Kansas Open Records Act requires the district to electronically make copies available by allowing a requestor to obtain copies by inserting, connecting, or otherwise attaching an electronic device provided by the requestor to the computer or other electronic device of the district.

Advance payment of the expense of providing access to or furnishing copies of open records shall be borne by the requestor. Under no circumstances shall the documents be allowed out of their usual building location without approval of the official custodian.

The board may prescribe reasonable fees for providing access to or furnishing copies of public records, subject to the following:

- in the case of fees for copies of records, the fees shall not exceed the actual cost of furnishing copies, including the cost of staff time required to make the information available and printing fees of __ cents per page, as applicable;
- In the case of fees for providing access to records maintained on computer facilities, the fees shall include only the cost of any computer services, including staff time required.

Revenue from copying open records will be deposited in the district's general fund.

Disposition

All district office records shall be kept for at least the minimum length of time required by law.

The clerk {or ___} is designated as the official custodian of all board and district office records maintained by the district. Each building principal {or ___} is designated as official custodian of all records maintained at the building level. In addition to those records required by law, the {clerk} shall be responsible for preparing and keeping other records necessary for the district's efficient operation.

District employees shall follow the guidelines found in the student records policies. (See IDAE and JR through JRD)

Approved:

KASB Recommendation – 6/00; 01/02; 4/07; 6/07; 12/16; 12/18; 6/19

CNA **Document Production, Including Electronic Information** * CNA
(See BCBK, BE, CN, ECA, IDAE, II, JGGA, JR et seq. and KBA)

Destroying Documents

After the district receives knowledge of legal action against the district or its employees, no documents or electronic information pertaining to the subject of the action, maintained in any form, may be destroyed as long as the legal action is pending.

Approved:

KASB Recommendation – 02/07; 4/07; 6/07; 6/19

* For detailed information, see Federal Rules of Civil Procedure. 34 Production of Documents, Electronically Stored Information.

EBBE **Emergency Drills**

EBBE

Building principals shall be responsible for scheduling and conducting emergency and safety drills as required by law and for ensuring students are instructed in the procedures to follow during the drills and in an actual emergency.

Each building principal shall develop a written plan for specific emergency drills required by law. The plan shall include specific arrangements for the evacuation of mobility impaired and other individuals who may need assistance from staff members to safely exit the building. Although plans for evacuation are essential, the state fire marshal may grant exemptions to the number or manner of drills required by law with regard to students receiving special education or related services, upon request.

Each principal shall conduct briefings with the staff concerning the emergency plan.

Each teacher shall explain relevant portions of the plan to students under their jurisdiction prior to a date established by the principal. Within one week thereafter, the building principal shall conduct a surprise drill. Other drills shall be held at times determined by the building principal.

The four fire drills and three crisis drills required by law may be scheduled at any time during the school year. However, the two tornado drills required shall be conducted in September and March. All these drills must be conducted by each school during school hours and cannot be made part of regular dismissal at the close of the school day.

Each emergency and safety drill plan shall be reviewed by the superintendent and filed with the clerk.

Approved:

KASB Recommendation—7/96; 4/07; 12/18; 6/19

GAA Goals and Objectives (See BDA, CM, CMA and JA)

GAA

The goal of the personnel policies set forth in this policy section is to create the best possible educational climate for the students of the school district. To this end, these personnel policies are designed to prevent misunderstanding by the district's personnel of their duties, responsibilities, and privileges.

All employees shall follow all applicable board policies, rules, regulations, and supervisory directives.

All personnel handbooks shall be approved by the board and adopted, by reference, as a part of these policies and rules.

Approved:

KASB Recommendation – 2/98; 4/07; 12/13; 6/19

GAAA Equal Employment Opportunity and Nondiscrimination GAAA

The board shall hire all employees on the basis of ability and the district's needs.

The district is an equal opportunity employer and shall not discriminate in its employment practices and policies with respect to hiring, compensation, terms, conditions, or privileges of employment because of an individual's race, color, national origin, religion, sex, age, disability, or genetic information. Discrimination on any of these characteristics will not be tolerated. The district will make reasonable accommodations to applicants and employees who need them for medical or religious reasons, as required by law.

Inquiries regarding compliance may be directed to (position, address, phone number of the district compliance coordinator) or to:

Equal Employment Opportunity Commission
Gateway Tower II
400 State Ave., Suite 905
Kansas City, KS 66101
(913) 551-5655
kansascityintake@eeoc.gov

or

Kansas Human Rights Commission
900 SW Jackson, Suite 568-S
Topeka, KS 66612-1258
(785) 296-3206
khrc@ks.gov

or

United States Department of Education
Office for Civil Rights
One Petticoat Lane
1010 Walnut Street, Suite 320
Kansas City, Missouri 64106
(816) 268-0550
OCR.KansasCity@ed.gov

GAAA Equal Employment Opportunity and Nondiscrimination GAAA-2

Approved:

KASB Recommendation - 2/98; 8/98; 6/06; 4/07; 12/15; 6/19

GAAB Complaints of Discrimination (See JDDC, JGECA and KN) GAAB

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. 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 or access to, or treatment or employment in the district's programs and activities is prohibited. (Position, address, 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, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and The Americans with Disabilities Act of 1990.

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.

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

GAAB Complaints of Discrimination (See JDDC, JGECA and KN) GAAB-2

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

GACB Job Descriptions (See CD and GACA)

GACB

The superintendent shall develop a job description for each category of employee. After board approval of any new or revised job descriptions, they will be deemed in effect, shall be filed with the clerk, and may be published in handbooks.

Approved:

KASB Recommendation - 2/98; 4/07; 6/19

Recruitment

The board delegates recruiting authority to the superintendent. In carrying out this responsibility, the superintendent may involve administrators and other employees.

Hiring

The board shall approve the hiring of all employees. No staff member's employment is official until the contract or other document is signed by the candidate and approved by the board.

Hiring sequence

- Conditional offer of employment is extended to the candidate in writing subject to revocation or, if provisional employment has already begun, termination of employment based upon unsatisfactory results of any reference and/or background checks performed;
- Written acceptance by the candidate is received;
- Contract or other appropriate document sent to the candidate and candidate's acceptance signified by a signed document returned to the superintendent; and
- Approval of the contract or other documents by the board.

Approved:

KASB Recommendation – 2/98; 6/00; 6/01; 4/07; 6/14; 6/19

GACCA Nepotism

GACCA

The superintendent shall make reasonable efforts to determine whether a candidate for employment is related to or residing with a board member or an administrator of the district. If a candidate is related to or residing with a board member or administrator, the superintendent will make this fact known to the board.

Except in an emergency or in the case the individual is deemed to be the most qualified candidate for the position by the board, the board will not employ anyone who is the father, mother, brother, sister, spouse, son, daughter, step-son, step-daughter, son-in-law, or daughter-in-law of any board member or who resides in the household of any board member.

This provision shall not apply to any person who has been regularly employed by the board prior to the adoption of this policy or to any person who has been regularly employed by the board prior to the election or appointment of a new board member to whom the person is related.

Supervision Limitations

No employee shall directly supervise or be responsible for any portion of the evaluation of his or her father, mother, brother, sister, spouse, son, daughter, step-son, step-daughter, son-in-law, or daughter-in-law or an individual residing with the employee.

Approved:

KASB Recommendation - 2/98; 6/07; 4/13; 6/19

GACE Assignment and Transfer

GACE

The board reserves the right to assign, reassign, or transfer all employees, unless otherwise provided in the negotiated agreement.

The board may delegate its authority to assign, reassign, or transfer any or all employees to the superintendent.

Approved:

KASB Recommendation - 2/98; 4/07; 6/19

GAE Complaints

GAE

Any employee may file a complaint with their supervisor concerning a school rule, regulation, policy or decision that affects the employee. The complaint shall be in writing, filed within ten (10) days following the event complained of, and shall specify the basis of the complaint. The supervisor shall meet with the employee and provide a written response within ten (10) days. If the employee disagrees with the decision, the employee may appeal to the superintendent. The superintendent's decision shall be final. Employees covered by the negotiated agreement shall follow procedures outlined in that document.

Approved:

KASB Recommendation - 2/98; 4/07; 6/19

GAG Conflict of Interest

GAG

District employees are prohibited from engaging in any activity which may conflict with or detract from the effective performance of their duties. No employee will attempt, during the school day or on school property, to sell or endeavor to influence any student or school employee to buy any product, article, instrument, service, or other items which may directly or indirectly benefit the school employee. No school employee will enter into a contract for remuneration with the district other than a contract for employment unless the contract is awarded on the basis of competitive bidding.

Approved:

KASB Recommendation - 2/98; 4/07; 6/19

Holding Public Office

Staff members elected or appointed to a public office which restricts the employee's ability to complete contractual obligations may be required to take unpaid leave for a period of time determined by the board or may be terminated.

Staff members holding a public office, which in the judgment of the board is less than full-time, shall request unpaid leave from the superintendent at least one week in advance.

An employee who must be absent from school to carry out the duties of a public office must take a leave of absence without pay for the duration of the public office.

Political Activity in the Schools

Staff members shall not use school time, school property, or school equipment for the purpose of furthering the interests of any political party, the campaign of any political candidate, or the advocacy of any political issue.

For the purposes of this policy, "advocacy of any political issue" shall not be deemed to include providing information on educational matters to elected officials.

Approved:

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

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).

GAOE Workers Compensation

GAOE-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

GBH Supervision

GBH

The superintendent and other administrators designated by the superintendent have the right to supervise licensed staff. The responsibility for the immediate supervision of licensed staff rests with each building principal.

Approved:

KASB Recommendation – 2/98; 4/07; 6/19

GBN Nonrenewal and Termination

GBN

Nonrenewal or termination shall be in accordance with Kansas law and the negotiated agreement, as applicable.

Approved:

KASB Recommendation – 2/98; 4/07; 6/19

GBRD Staff Meetings

GBRD

Staff meetings for licensed personnel shall be called by the administration.

Approved:

KASB Recommendation – 2/98; 4/07; 6/19

Licensed employees will be provided with paid and unpaid leave in accordance with applicable law and the negotiated agreement. The board reserves the right to grant additional leave.

Approved:

KASB Recommendation – 7/03; 4/07; 6/19

IFC **Community Resources** (See KFD)

IFC

The use of community resources is encouraged where legitimate educational objectives may be advanced.

The licensed staff shall maintain a list of suitable community resources which may be used for field trips and other excursions.

Approved:

KASB Recommendation – 6/04; 4/07; 6/19

IJ **Evaluation of Instructional Program**
(See IC, ICAA, ID, and II)

IJ

The superintendent may develop guidelines to evaluate the instructional program. This evaluation shall be part of the district's school improvement efforts.

The superintendent may establish special curriculum committees to study the district's instructional program on a regular schedule. The superintendent may require reports from these committees which shall include the committee's recommendations for improvement, modification, or elimination of any part of the instructional program. The superintendent may submit a comprehensive report from the committees to the board.

Approved:

KASB Recommendation – 6/04; 4/07; 6/12; 6/19

Resident Students

A “resident student” is any child who has attained the age of eligibility for school attendance and lives with a parent or a person acting as a parent who is a resident of the district. Children who are “homeless” as defined by Kansas law and who are located in the district will be admitted as resident students. For purposes of this policy, “parent” means the natural parents, adoptive parents, step-parents, and foster parents. For purposes of this policy, “person acting as a parent” means a guardian or conservator, a person liable by law to care for or support the child, a person who has actual care and control of the child and provides a major portion of support, or a person who has actual care and control of the child with written consent of a person who has legal custody of the child.

Non-resident Students

Non-resident students are those who do not meet the definition of a resident student. Although the district is not required to admit non-resident students, non-resident students may be admitted to the extent that staff, facilities, equipment, and supplies are available. Other criteria regarding students seeking non-resident student admittance may be considered prior to acting on any annual non-resident student application as specified in this policy, and students residing outside of the state of Kansas may be denied enrollment or continued enrollment based on out-of-state residency.

Non-resident Student Continued Enrollment

Non-resident students admitted to the district shall be evaluated each spring by district administration on the following criteria: whether the student

made academic progress; residence in the state of Kansas; regularity and punctuality of attendance; and disciplinary record, specifically whether the student complied with the student conduct code and avoided 1) major disciplinary problems and/or 2) a large number of referrals for minor disciplinary problems.

Students may be readmitted or denied admission for the next school year based on the results of these evaluations. However, if the student has a disability, the student’s ability to meet these expectations shall be considered prior to denying continued enrollment in the district. Parents shall be informed of any administrative decision on non-resident student applications no later than _____.

Enrollment Restriction

Unless approved in advance by the board, no student, regardless of residency, who has been suspended or expelled from another school district will be admitted to the district until the period of such suspension or expulsion has expired.

Enrollment Procedures

The superintendent shall establish orderly procedures for enrolling all students, including pre-enrollment, changes in enrollment, normal enrollment times, and communication to parents and to the public.

Part-Time Students

Part-time students may enroll with the (board’s/administration’s) permission if they complete all paperwork in a timely fashion and are in attendance no later than _____. (Insert date) Part-time students may be admitted only to the extent that staff, facilities, equipment, and supplies are

available and the students follow the district's student conduct policies and rules.

Identification of Students

All students enrolling in the district for the first time shall provide required proof of identity. Students enrolling in kindergarten or first grade shall provide a certified copy of their birth certificate, a certified copy of the court order placing the child in the custody of the Secretary of the Department for Children and Families, or other documentation which the board determines to be satisfactory. Students enrolling in grades 2-12 shall provide a certified transcript, similar pupil records or data, or other documentary evidence the board deems satisfactory.

The above requirements are not to serve as barriers to immediate enrollment of students designated as homeless or foster children as required by the Every Student Succeeds Act (ESSA) and the McKinney-Vento Act as amended by ESSA. The district shall work with the Department for Children and Families, the school last attended, or other relevant agencies to obtain necessary enrollment documentation.

If proper proof of identity is not provided within 30 days of enrolling, the superintendent shall notify local law enforcement officials as required by law and shall not notify any person claiming custody of the child.

Enrollment Information

The enrollment documentation shall include a student's permanent record card with a student's legal name as it appears on the birth certificate or as

changed by a court order and the name, address, and telephone number of the lawful custodian. The records shall also provide proper proof of identity.

JBC Enrollment

JBC-4

Assignment to a School Building, Grade Level, or Classes

Unless otherwise provided herein, the superintendent shall assign students to the appropriate building. Any student desiring to attend a school outside the attendance area in which the student resides may do so only with the prior written permission of the superintendent.

If required by law, students placed in foster care or students who are homeless may be educated in their “school of origin” instead of the building corresponding to the assigned attendance area. (For definition of “school of origin”, see regulations for JBCA and JBCB.)

Assignment to a particular grade level or particular classes shall be determined by the building principal based on the educational abilities of the student. If the parents disagree, the principal’s decision may be appealed to the superintendent. If the parents are still dissatisfied with the assignment, they may appeal in writing to the board.

Transferring Credit

In {middle school/junior high} and high school, full faith and credit shall be given to units earned in other accredited schools at the time the student enrolls in the district, unless the principal determines there is valid reason for not doing so. For online credit approval procedures after enrollment, see board policy IIBGB.

Transfers from Non-Accredited Schools

Students transferring from non-accredited schools will be placed by the principal. Initial placement will be made by the principal after consultation with parents or guardians and guidance personnel. Final placement shall be made by the principal based on the student's documented past educational

JBC Enrollment

JBC-5

experiences and performance on tests administered to determine grade level placement.

Approved:

KASB Recommendation – 6/01; 4/07; 6/13; 12/14; 6/15; 12/15; 12/16; 6/19

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