

Holton Elementary School

812 W. 5th Street
Holton, Kansas 66436
(785) 364-3251

Holton Preschool Center
710 W. 5th Street
Holton, Kansas 66436



Mr. Bob Davies, Superintendent

Mr. Randy Fox, Holton Elementary Principal

Mr. Taylor Dunham, Holton Elementary Assistant Principal

Danyel Rockwell, USD 336 Social Worker

Megan Mueller, Holton Elementary Counselor

Introduction

Dear Parents/Guardians and Students:

It is our pleasure to welcome you to Holton Elementary. The faculty and staff join us in saying we value and appreciate your parent/guardian involvement. With the school, family and community working together for the betterment of each student, your child has a greater opportunity to reach his/her full potential. We look forward to building a positive relationship with students and their families. Our school will work diligently to assure that this will be the best school year yet for you and your child(ren). Our goal is to enrich the lives of all our students and to make our schools a safe, supportive place to learn. This handbook has been compiled to help assist in that effort. We hope it will answer any questions you might have. Parents and students should review the contents of this handbook together. It will give you important information regarding policies and procedures. If you have any questions, please call the school office.

We welcome your support and commitment toward your child's education this year. The educational process is a cooperative effort between home, school, and students. We look forward to working with you and your child in the coming year.

Mr. Fox, Principal

Mr. Dunham, Assistant Principal

Nondiscrimination

Discrimination against any individual on the basis of race, color, national origin, sex, disability, age or religion in the admission or access to, or treatment or employment in the district's programs and activities is prohibited. Harassment of an individual on any of these grounds is also prohibited. USD #336 Holton does not discriminate on the basis of race, color, national origin, religion, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The Superintendent and/or Assistant Superintendent has been designated to coordinate compliance with non-discrimination requirements contained in Title VI of the Civil Rights Act of 1964, 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. Information concerning the provisions of these Acts, and the rights provided thereunder, are available from the compliance coordinator.

Mission Statement

The mission of Holton Elementary is to promote and recognize growth in every student.

Faculty Names & Board of Education Members

School Board Members: Terry Lierz,, Dena Swisher, Shelby Patch, Mike Ford, Rex Frazier, Christina Murphy and Allen Arnold

Holton Elementary Administration: Mr. Randy Fox, Principal and Mr. Taylor Dunham, Asst. Principal

Important Phone Numbers and Names

Holton Elementary 364-3251, Holton Middle School 364-2441 (Michael Kimberlin, Principal), Holton High School 364-2181 (Rod Wittmer, Principal), USD 336 District Office 364-3650 (Mr. Bob Davies, Superintendent of Schools and Mr. Tom Sextro, Director of Technology), USD Special Education 364-3463 (Mrs. Amy Haussler, Director of Special Education)

Holton Elementary Office Staff

School Secretaries: Mrs. Amber Moses, Mrs. RayAnn Reed (Registrar), Mrs. Deb Snyder, Mrs. Sue LaMastus (Financial)

Nurse: Mrs. Chelli Schuster

Counselors: Ms. Megan Mueller

Social Worker: Mrs. Danyel Rockwell

Holton Elementary Faculty

Kindergarten: Ms. Hailey Bluml, Mrs. Jennifer McElroy, Ms. Josie Landry, and Ms. Emma McManigal, Ms. Janci Smith

1st Grade: Mrs. Abbey Althof, Mrs. Ashley Schuetz, Mrs. Janelle Noel, Mrs. Cathi Kitrell; Ms. Katelyn Eshelman

2nd Grade: Mrs. Christi Schumaker, Mrs. Andrea King, Mrs. Amanda Kennedy, Ms. Kayla Shaughnessy, Ms. Leslie Speer

3rd Grade: Ms. Lakota Bohl, Mrs. Terilyn Bufkin, Ms. Hannah Deegan, Mr. Travis Thayer and Mrs. Melissa Smith

4th Grade: Mrs. Rebecca Segenhagen, Mr. Dalton Beightel, Ms. Gretchen Ehrhart, Ms. Hannah Shoemaker

5th Grade: Mrs. Cari Andrews, Mrs. Judy Ireland, Mrs. Mona Robertson, Mr. Jon Yingst

Special Services: Mrs. Susan Baum (PreK) Mrs. Jennifer Larison, Mrs. Louise Tanking, Mrs. Mandy Saxton, Mrs. Addie Larson (School Psychologist)

Preschool: Mrs. Diana Fate, Mrs. Jolene Purcell, Ms. Madison Stum, Mrs. Thompson

Title I: Mrs. Jill Schulz (Reading), Mrs. Angela Strube (Reading) and Mrs. Michelle Jones (Math)

Specials: Mrs. Sheri Bartel (Music); Mrs. Sarah Degenhardt (P.E.) Ms. Lori Jacobs and Ms. Katie Barrow (Library Services);

Building Policies and Practices

School Hours: School will begin at 8:10 each day and end at 3:10. The building will open at 7:45 for breakfast. There will not be supervision provided before 7:45.

Enrollment/Withdrawal from School: All resident students shall be admitted to attend school in the district unless they have been expelled.

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. 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 or other documentation, which the board determines to be satisfactory. Students enrolling in grades 2-12 shall provide a certified transcript or similar pupil records. 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, telephone number of the lawful custodian. The records shall also provide the identity of the student as evidenced by a state certified birth certificate, copy of a court order placing the student in the custody of Kansas Social and Rehabilitation Services, a certified transcript of the student, a baptismal certificate or other documentation the board considers satisfactory.

Each year during enrollment, parents and students must fill out a pupil information form including the following information:

- name(s), phone number(s) and address of the student's parent(s)/guardian(s);
- name of individual(s) to contact in case of emergency;
- name of the student's physician; and
- description of any medical conditions of which the staff needs to be aware contact information

This information is kept on file and made part of the student's record.

Address/Phone Number Change: Please notify the school secretary within seven days if any of the following change:

- numbers for home or parents' work;
- mailing or street address; or
- emergency contacts.

Enrollment

JBC (See IIBGB, JBCA, JBCB, and JQKA)

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 Students 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 -- (Insert date)

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,

Enrollment

JBC-2

Part-Time Students

Part-time students may enroll with the board's/administration's permission if they complete a 11 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 in the district for the first time shall provide required proof of identity. Students enrolling in Pre-K through 12th grade shall provide a certified copy of their birth certificate or a certified copy of the court order placing the child in the custody of the Secretary of the Department for Children and Families.

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.

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.

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Enrollment **JBC-3**

Transferring 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 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 Approved by USD 336 Board of Education: June 14, 2021

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Fees (JS): *Updated 1/13/20* Meal costs: full lunch \$2.60, full breakfast \$1.75, reduced lunch \$.40, reduced breakfast \$.30. Thanks to USDA, school meals will be provided to all students at NO costs to our families.

Textbooks: \$45 a year for PK-5. (Reminder that textbooks belong to the school and the fees are rental. There may be a cost for damaged textbooks beyond normal wear.)

FAMILY EDUCATION RIGHTS AND PRIVACY ACT (FERPA)

For purposes of the Family Education Rights and Privacy Act (FERPA), USD 336 has designated certain information contained in educational records as directory information, which may be disclosed for any purpose without your consent.

Directory information includes the following: the student's name, parent or guardian, weight, height, participation in and eligibility to officially recognized activities and sports; dates of attendance or grade placement; honors and awards received; and the most recent educational agency or school attended by the student.

You have the right to refuse to permit the designation of any or all of the above information as directory information. If you refuse, you must file written notification to this effect with USD 336 at USD 336 District Office, 515 Pennsylvania, Holton, KS 66436 on or before September 30th of each school year. If refusal is not filed, USD 336 assumes there is not objection to the release of the directory information designated. All student records shall be treated as confidential and primarily for local school use unless otherwise stipulated.

Under the provisions of the FERPA parents of students and eligible students (those who are 18 or older) are afforded various rights with regard to educational records that are kept and maintained by the school. In accordance with the FERPA, you are required to be notified of those rights that include:

The rights to review and inspect all your educational records except those that are specifically exempted.

The right to prevent disclosure of personally identifiable information contained in your educational records to other persons, with certain limited exceptions.

Disclosure of information from your educational records to other persons will occur only if:

- we have your prior written consent for disclosure;
- the information is considered directory information and you have not objected to the release of such information; and
- disclosure without consent is permitted by law.

The right to request your educational records may be amended if you believe the records are misleading, inaccurate or otherwise in violation of your rights. This right includes the right to request a hearing at which you may present evidence to show why the record should be changed if your request for an amendment to your records is denied in the first instance. The right to obtain a complaint with the Family Policy and Regulations Office at the U.S. Department of Education if you believe USD 336 has failed to comply with FERPA's requirements. The address of this office is 400 Maryland Ave. SW, MES, Room 4074, Washington, D.C. 20202. The right to obtain a copy of USD 336 policies for complying with FERPA. A copy may be obtained from USD 336 Superintendent, 515 Pennsylvania, Holton, KS 66436 at 785-364-3650.

MCKINNEY-VENTO HOMELESS EDUCATION ASSISTANCE ACT

If your family lives in any of the following situations: in a shelter, motel, vehicle, or campground; on the street, in an abandoned building, trailer, or other inadequate accommodations, or; doubled up with friends or relatives because you cannot find or afford housing – THEN, your preschool-aged and school-aged children have certain rights or protections under the McKinney-Vento Homeless Education Assistance Act.

Your area contact is: Traci Frazier, 901 New York Ave, Holton, Kansas 66436. 785-364-2181.

Your state coordinator is: Linda Aldridge, 785-296-1101, Kansas Department of Education

PARENTS RIGHT TO KNOW – (Elementary Only)

Title I Annual Notification

This notification is provided to inform you of your right to request the following specific information concerning the school and teachers: Parents may request information regarding the professional qualifications of their child's/children's classroom teachers and paraprofessionals.

Professional qualifications include:

- Whether or not the teacher has met Kansas licensing criteria for the grade levels and subject areas being taught;
- The baccalaureate degree and any other graduate certification or degree and the field of discipline of both;
- If services are provided by paraprofessionals, their qualifications;
- If the teacher is teaching under an emergency or professional waiver.

All teachers at **HOLTON ELEMENTARY** meet the above criteria. Each one is licensed for the grade levels and subject areas being taught. Each one has a baccalaureate degree and none are teaching under an emergency or provisional waiver. The paraprofessional(s) who work under the direction of Title I and classroom teachers meet required qualifications for the positions.

Parent-School Compacts: Schools receiving Title I funds are required to make a Parent-School Compact or Learning Agreement available. This Learning Agreement can be obtained from your teacher.

Title I Schools Identified for Improvement: Holton Elementary met the state requirements for the 2016-2017 school year as Holton Elementary and has not been identified for improvement. If you have questions or would like to request further information, please feel free to contact your building principal.

Testing Program (II): The district educational testing program shall consist of multiple assessments. These assessments shall include, as a minimum, individual teacher subject matter tests, district group achievement tests, and any state required tests.

Promotion and Retention (JFB, JFC, JFCA): The final decision to promote or retain a student shall rest with the principal after receiving information from parents/guardians, teachers and other appropriate school personnel.

State Report Card/Report Cards: Holton USD 336 Report Card can be found on the Kansas State Department of Education website for State Report Cards: <http://online.ksde.org/rcard>
Formal report cards will be mailed or handed out at the end of each quarter.

Parent/Student/Teacher Conferences (JFAB): Parents and students are encouraged to request a conference with teachers at any time convenient to all parties. See the school calendar for scheduled dates and time for Parent/Teacher conferences.

Academic Dishonesty: Cheating or plagiarism is not acceptable.

Attendance: ABSENCES & EXCUSES (JBD)

- When a student is absent from school an attempt shall be made to contact the parent or guardian to determine the reason for the absence. The principal has been designated to determine the acceptability and validity of excuses presented by the parent(s) or the student.

- **Please contact the school by 8:15 a.m. for any absences. If no parent/guardian contact is received, school officials will attempt to make contact.**
- **Excused/Unexcused Absences**
 - The definition of “**Excused Absence**” includes the following:
 - Personal illness;
 - Health-related treatment, examination, or recuperation;
 - Serious illness or death of a member of the family;
 - Obligatory religious observances;
 - Participation in a district-approved or school sponsored activity or course;
 - Absences pre-arranged by parents and approved by the principal; and
 - Students of active duty military personnel may have additional excused absences at the discretion of the principal for visitations relative to leave or deployment.
 - All absences which do not fit into one of the above categories would be considered an “**Unexcused Absence**.” A student serving a period of suspension or expulsion from the district shall not be considered inexcusably absent.

Definition of Absences

- **Documented Excused Absence:** Occurs when the school has documentation that the student visited a doctor, dentist, court, lawyer, or an approved job shadow. All funerals of the immediate family shall be counted as a Documented Excused Absence. Notes/documents may be faxed to the HHS Office at 364-5360.
- **Parental Excused Absence:** Occurs when the parent contacts the school to excuse their child for one of the above-mentioned reasons. **The student is allowed five Parental Excused Absences during a semester.**
- **Unexcused Absence:** Occurs when the absence doesn’t meet the above BOE approved excused absences, when the student has exceeded the five Parental Excused Absences during the semester or when the school has not been contacted by parents/guardian.
- **School Related Excused Absence:** Occurs when the student misses a school day due to a school activity. Students need to make arrangements with all their teachers prior to attending a school event.

Consequences for Absences

- **See Truancy:** (Listed Below)
- **Consequences for Unexcused Absences:** Class assignments and tests given during an Unexcused Absence can result in reduced or no credit. Students with an Unexcused Absence other than school-approved activities should not expect to participate in or attend any school activities, which occur on that day or evening or on a Saturday following the unexcused day.
- **Attendance and Extracurricular Activities:** Any student that is absent after 12:00 PM, due to illness or for any “Unexcused” reason shall NOT be eligible to attend and/or participate in any extra-curricular activity scheduled during that particular day. Participation in activities on days any student is absent for “Documented Excused Absences” shall be at the discretion of the principal.
- **Elementary Tardy Policy:** Any student arriving from 8:11 - 8:30am will be counted tardy. A student arriving after 8:30 AM and before 11:30 AM will be counted absent for ½ day. A student leaving before 2:40 will be counted absent for 1/2 day and if after 2:40pm will be counted tardy.
- **Significant Part of a School Day**
 - An absence of two or more hours (120 minutes) in any school day shall be considered an absence for a significant part of the school day.
- **Make-Up Work**
 - It is the student’s responsibility to obtain make-up assignments (see Homework section of the handbook).

TRUANCY (JBE)

- Unless reporting would violate the terms of any memorandum of understanding between the district and the authority to which reports would be made. The building principal shall report students who are inexcusably absent from school to the appropriate authority.
- Truancy is defined as any three (3) consecutive unexcused absences, any five (5) unexcused absences in a semester, or seven (7) unexcused absences in a school year, whichever comes first. School year means the

period from July 1 to June 30. Students who are absent without a valid excuse for a significant part of any school day shall be considered truant.

- Prior to reporting to either the Department for Children and Families (if the student is under 13) or the county or district attorney (if the student is 13 or more years of age but less than 18 years of age), a letter shall be sent to the student's parent(s) or guardian notifying them that the student's failure to attend school without a valid excuse shall result in the student being reported truant.
- Waiver of Compulsory Attendance Requirements
 - Students 16 or 17 years of age may be exempt from compulsory attendance regulations if the parent(s) or person acting as parent attend(s) the counseling session required by law and signs the appropriate consent and waiver form; if the student earns a GED; or if the student is exempt from compulsory attendance requirements pursuant to a court order.

- Involvement of Law Enforcement

Law enforcement officers may return truant children to the school where the child is enrolled, to the child's parent or guardian, or to another location designated by the board to address truancy issues.

- Reporting to Parents

If a truant child is returned to school by a law enforcement official, the principal shall notify the parent or guardian.

- Dual Enrollment Students

Eligible students who are enrolled in a board-approved dual enrollment program shall not be considered truant for the hours during the school day they attend classes at a Regent's university, community college, technical college, vocational school, or Washburn University.

Illness at School: If a student becomes ill during the school day, he/she shall report to the office nurse area.

Healthcare officials recommend students remain home for 24 hours after fever, diarrhea or vomiting without the use of fever reducing medications.

The office will contact a parent or guardian before releasing the student. If nobody can be reached, the student will be kept at school. Please make sure your emergency information is up to date.

Sign In/Sign Out: Parents must sign out in the office before having their student leave school premises during the school day. Parents must also sign the student in when returning.

Release of Student During School (JBH) Students shall not be released during the school day except upon a written or verbal request from the student's parent or person acting as a parent. Before releasing a student during the school day, the building principal shall verify the identity of the person seeking release of the student. If the principal is not satisfied with the identification provided by the person seeking release of a student, the student's release will be refused.

Behavior/Conduct (JCDA): Students may be disciplined for any of the following reasons:

- willful violation of any published, adopted student conduct regulation;
- conduct which substantially disrupts, impedes, or interferes with school operation;
- conduct which endangers the safety or substantially impinges on or invades the rights of others;
- conduct which constitutes the commission of a felony;
- conduct which constitutes the commission of a misdemeanor;
- disobedience of an order of a school authority if the disobedience results in disorder, disruption or interference with school operation; and
- possession of a weapon at school, on school property or at a school-sponsored event.

Violation of any provision of the behavior code may result in disciplinary action up to and including suspension and/or expulsion.

Weapons (JCDBB): A student shall not knowingly possess, handle or transmit any object that can reasonably be considered a weapon at school, on school property or at a school-sponsored event. This shall include any weapon, any item being used as a weapon or destructive device, or any facsimile of a weapon.

Definition of Weapons and Destructive Devices:

As used in this policy, the term “weapon” and/or destructive device means:

- Any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive;
- The frame or receiver of any weapon described in the preceding example;
- Any firearm muffler or firearm silencer;
- Any explosive, incendiary or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than ¼ ounce, mine or similar device;
- Any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than ½ inch in diameter; any combination of parts either designed or intended for use in converting any device into a destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled;
- Any bludgeon, sand club, metal knuckles or throwing star;
- Any knife

Possession of a firearm: Shall result in expulsion from school for a period of one year (186 school days), except the superintendent may recommend this expulsion requirement be modified on a case-by-case basis.

Vandalism (EBCA): The board shall seek restitution according to law for loss and damage sustained by the district. When a juvenile is involved in vandalism to district property, the superintendent or principal shall contact the parents and explain their legal responsibility. The parents shall be notified in writing of the dollar amount of loss or damage. Restitution payments shall be made by juveniles or their parents to the office, and accounts shall be kept.

HARASSMENT AND BULLYING

Sexual Harassment

Sexual harassment and bullying shall not be tolerated in the school district on school property, in school vehicles, or at school-sponsored activities. Sexual harassment or bullying of employees or students of the district by board members, administrators, certificated and support personnel, students, vendors and any others having business or other contact with the school district is strictly prohibited.

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

Sexual harassment is unwelcome sexual advances, requests for sexual favors and other inappropriate oral, written or physical conduct of a sexual nature when made by a member of the school staff to a student or when made by any student to another student when:

1. Submission to such conduct is made, explicitly or implicitly, term or condition of the individual’s education;
2. Submission to or rejection of such conduct by an individual is used as the basis for academic decisions affecting that individual; or
3. Such conduct has the purpose or effect of interfering with an individual’s academic or professional performance or creating an intimidating, hostile or offensive academic environment.

Sexual harassment may include, but is not limited to:

- verbal harassment or abuse;
- 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 a student's grades, participation in extracurricular activities, etc.

Specific examples of **sexual harassment** include:

- making sexual comments or jokes;
- looking or gesturing in a sexual manner;
- touching, grabbing, pinching in a sexual way;
- brushing up against;
- flashing or mooning;
- spreading sexual rumors about an individual;
- pulling clothing in a sexual manner;
- showing or giving sexual pictures, messages or notes;
- blocking passing in a sexual way;
- writing sexual messages or graffiti on wall, in locker rooms, etc.;
- forcing a kiss on someone;
- calling someone gay or lesbian;
- forcing someone to do something sexual other than kissing;
- spying while someone is showering or dressing

Bullying is any ongoing, intentional gesture or intentional written, verbal, or physical act or threat that is sufficiently severe, persistent, or pervasive that creates an intimidating, threatening or abusive educational environment for a student or staff member. Bullying or intimidation of any kind will not be allowed by the Holton School District.

Cyber Bullying is when a child is tormented, threatened, harassed, humiliated, embarrassed or otherwise targeted by another child, preteen, or teen using the Internet, interactive and digital technologies, or mobile phones.

Holton Elementary Bullying Policy: To ensure bullying and/or cyber bullying does not occur on school campuses, the Holton School District provides all staff training in bullying prevention. Staff members immediately intervene when they see a bullying incident occur or if one is reported to them. A teacher, the counselor, or the principal will promptly investigate each complaint of bullying. This policy applies on school grounds, while traveling to and from school or a school-sponsored activity, during the lunch period, whether on or off campus, and during school-sponsored activities. Teachers and the school counselor discuss this policy with their students in age-appropriate ways and assure them bullying behaviors are not acceptable at Holton Elementary School. Students who bully are in violation of this policy and are subject to disciplinary action up to and including expulsion.

The Student Code of Conduct at Holton Elementary includes, but is not limited to:

- Students who participate in bullying behaviors may be subject to disciplinary action up to and including expulsion.
- If students witness incidents of bullying, they should immediately report what they have seen to a teacher, counselor, or the principal.
- Students should be aware that once the incident is reported, a staff member will promptly investigate each complaint of bullying in a thorough and confidential manner.
- If the complainant student or the parent of the student feels that appropriate resolution of the investigation or complaint has not been reached, the principal should be contacted.

Intervention:

The procedures for intervening in bullying behavior include, but are not limited, to the following:

- All staff, students, and their parents will receive a summary of this policy prohibiting bullying: at the beginning of the school year, as part of the student handbook.
- Holton Elementary School will make reasonable efforts to keep a report of bullying type behaviors. Results of investigations will be kept confidential.

• Staff are expected to immediately intervene if they see a bullying incident occur. People witnessing or experiencing bullying are encouraged to report the incident; such reporting will not reflect on the victim or witnesses in any way.

DRESS CODE (JCDB): The board-approved dress code for school days and school activities is as follows:

- Appearance must be neat and clean.
- Wearing apparel that is excessively short, excessively tight, or excessively low-cut may not be worn.
- Shorts may be worn. Short shorts, biking shorts, and cutoff shorts are not in good taste. The shorts should be mid-thigh or longer.
- Skirts are permitted but must be the length of conventional dresses.
- Coats and outerwear shall not be worn in school, unless special permission is issued by the teacher.
- Bandana's and "doo-rags" are not acceptable in school or on campus.
- "Sagging" pants are not acceptable in school or on campus.
- Pajama bottoms/lounging pants are not acceptable in school or on campus.
- Writing or pictures on clothing shall not display or promote alcoholic beverages, illegal drugs, suggestive or obscene language or violent acts.
- Hair must be clean and well-groomed.
- Clothing must not be unreasonably soiled or badly worn.
- Decency and good taste are required.
- Hats shall not be worn in the building.
- Heelys /Roller shoes. May not be worn.
- Shirts and tops need to be in good taste. Tops with excessively large armholes will not be allowed and tops must cover the entire stomach.
- Spaghetti straps are not acceptable in school or on campus.
- Wallet Chains are not acceptable in school or on campus.

Any student involved in extra or co-curricular activity in which the student represents the district, shall dress in accordance with the sponsor's requirements, subject to approval by the administration.

Drug Free Schools and Communities Act (JDDA): The unlawful possession, use, sale or distribution of illicit drugs and alcohol by students on school premises or as a part of any school activity is prohibited. This policy is required by the 1989 amendments to the Drug Free Schools and Communities Act, P.L. 102-226, 103 St. 1928. As a condition of continued enrollment in the district, students shall abide by the terms of this policy. Students shall not unlawfully manufacture, sell, distribute, dispense, possess or use illicit drugs, controlled substances or alcoholic beverages on school district property, or at any school activity. Compliance with this policy is mandatory.

Tobacco (JCDA): Possession and/or use of any tobacco product by students are prohibited in any attendance center, in any school-owned vehicle, at school-sponsored events or on the school grounds.

Problem Resolution

The Board of Education, administration, teachers, and staff members, recognize that parents of students may have complaints regarding a teacher or staff member. In order to provide a process of handling such complaints which is fair to the board, administration, teachers, staff member, and parents the following procedure should be utilized. Meeting the best interest of the students will always be the desired outcome of any problem resolution step.

Step 1: The parents and/or students should meet with the teacher or staff member to discuss the conflict and alternatives in a professional, productive, civil manner. The goal is to seek understanding of what is causing the issue or hardship so a solution can be reached.

Step 2: If the meeting between the teacher, staff member, parent and/or student does not resolve the conflict, the parents should contact the building principal to initiate a meeting with the teacher, staff member, parent and/or student to resolve the conflict. This would be where both sides have an opportunity to present documents that can help the principal establish a timeline and may show where a policy was not followed, a handbook rule is incomplete and might need further clarification, or a syllabus was vague or misinterpreted. The principal will

make and keep a copy of all documentation presented at this meeting and may have to recess to take some time to research the issue. Employee sanctions or discipline of other student sanctions or discipline will not be shared.

Step 3: If there is no resolution at Step 2, then any of the parties above may file a formal complaint with the superintendent of schools. A formal complaint form is in the District office or can be sent by email from district office staff but the form is not necessary to file a formal complaint. The superintendent will conduct an investigation into the matter utilizing the research done in step 2 and will utilize any new information brought to light by any of the parties that is relevant to the matter at hand. The superintendent will present his finding in writing in as much detail as allowed to all parties concerned but due to the nature of employee rights and potential FERPA rights, much may be redacted. The board of education will see the full complaint finding in the board of education's next scheduled executive session.

It is understood that parents may contact the administration or board members directly. When this occurs, every attempt will be made to handle the complaint through the process of steps listed above. Parents may pick up formal complaint forms in the district office if they deem it necessary to skip to Step three.

Bus Behavior Guidelines

General Information

Bus drivers, students, parents, teachers, and school administrators share the responsibility for bus safety, following all bus rules, and behaving in a responsible manner. Riding the school bus is a privilege. If you behave appropriately, you will be allowed to ride the bus.

Ride the bus safely.

- Stay seated (seat to seat, back to back, with seat belt fastened);
- Keep aisles free of backpacks, instruments;
- At stops, remain at designated area until bus comes to complete stop;
- DO NOT distract the driver;
- DO NOT put any part of my body outside the window;
- DO NOT push or shove others; and
- DO NOT leave your seat while the bus is in motion.

Follow all bus rules and be responsible.

- Keep hands and feet to myself;
- No eating on the bus;
- Respect bus property;
- Sit in assigned seats;
- DO NOT possess weapons or facsimiles of a weapon;
- DO NOT possess driver distractors including laser pens;
- DO NOT possess alcohol, tobacco, or illegal drugs; and
- DO NOT tamper with the emergency door or equipment.

Treat the bus, the driver, and all passengers with respect.

- Obey directions from the bus driver;
- Talk level 0-2 and act kindly to others;
- DO NOT leave trash, food, etc. on the bus;
- DO NOT throw, spit, kick, or hit; and

- DO NOT use foul language, tease, threaten others, or use Inappropriate gestures.

The following consequences will occur or in the event of a serious offense, a student may be suspended from the bus immediately and face other school consequences:

1. My parent(s)/guardian will be notified by an administrator at my school and I will be warned about the consequences of not following the school bus rules. Depending on severity, I understand that other disciplinary measures may include a lunch detention, after school detention, suspension from school, expulsion from school, or other consequences as assigned by the building administrator including loss of bus privileges for a range of 1-5 days.
2. My parent(s)/guardian will be notified by an administrator and I may lose all bus privileges for a range of 1-10 days. **In-town bus riders will lose bus privileges to the end of the semester after receiving 2 referrals.** I understand that other disciplinary measures may include a lunch detention, after school detention, suspension from school, expulsion from school, or other consequences as assigned by the building administrator.
3. My parent(s)/guardian will be notified by an administrator and **I may lose all bus privileges for the remainder of the semester (three strikes).** I understand that other disciplinary measures may include lunch detention, after school detention, suspension from school, expulsion from school, or other consequences as assigned by the building administrator.

*** Severity Clause: Students may be suspended immediately from the bus for severe infractions for a period of time to be determined by the school administrator. A serious infraction may result in bus privileges being suspended immediately as well as after school detention, suspension from school, expulsion from school, or other consequences as assigned by the building administrator. The student may be required to remain at school and law enforcement may be called.

Suspension/Expulsion (JDD) ---- SUSPENSION AND EXPULSION OF STUDENTS

Procedures

A student may be suspended or expelled, for reasons set forth in Kansas law, by the following certified personnel: superintendent, asst. superintendent and principal.

A suspension may be for a short term not exceeding ten school days or for an extended term not exceeding 90 school days. An expulsion may be for a term not exceeding 186 days.

Any student who is suspended or expelled shall receive a copy of the current suspension and expulsion law and this policy. Expulsion hearings for weapons possession shall be conducted by the superintendent/designee. Expulsion hearings shall be conducted by the superintendent, other certified employee or committee of certified employees of the school in which the pupil is enrolled, a hearing officer appointed by the board or another person appointed by the board.

Rules Which Apply in All Cases When a Student May be Suspended or Expelled

- Refusal or failure of the student and/or the student's parents to attend the hearing shall result in a waiver of the student's opportunity for the hearing.
- Students who are suspended for more than 10 days or expelled from school may appeal to the board within 10 calendar days of receiving written notice of the hearing results.
- A student suspended for more than 10 school days or expelled from school shall be provided with the information concerning service or programs offered by public and private agencies that provide services to improve the student's attitude and behavior.
- A student who has been suspended or expelled shall be notified of the day the student can return to school.

- If the suspension or expulsion is not related to a weapons violation, the principal may establish appropriate requirements relating to the student's future behavior at school and may place the student on probation.
- If the expulsion is related to a weapons violation the superintendent may establish requirements relating to the student's future behavior at school and may place the student on probation.
- The days a student is suspended or expelled are not subject to the compulsory attendance law. During the time a student is suspended or expelled from school, the student may not:
 1. Be on school property.
 2. Attend any school activity as a spectator, participant or observer.

Reasons for Suspension or Expulsion

Students may be suspended or expelled for one or more of the following reasons:

- Willful violation of any published, adopted student conduct regulation
- Conduct which substantially disrupts, impedes, or interferes with school or bus operation
- Conduct which endangers the safety or substantially impinges on or invades the rights of others
- Conduct which constitutes the commission of a felony
- Conduct which constitutes commission of a misdemeanor
- Disobedience of an order of a school authority if the disobedience results in disorder, disruption or interference with school operation; and
- Possession of a weapon at school, on school property or at a school-sponsored event.

Short-Term Suspension Procedures:

Except in an emergency, a short-term suspension (not exceeding ten school days) must be preceded by oral or written notice of the charges to the student and an informal hearing shall be provided no later than 72 hours after imposition of a short-term suspension. Written notice of any short-term suspension shall be delivered to the student's parent or guardian within 24 hours after the suspension has been imposed. Any person designated in policy as having the authority to suspend may conduct short-term suspension hearings.

At the informal suspension hearing, the student shall be:

- notified of the right to be present;
- informed of the charges;
- informed of the basis for the accusation; and
- allowed to make statements in his/her defense/

When a suspension is imposed during the school day, the student shall not be removed from school until a parent has been notified. If a parent cannot be notified during the regular school hours, the student shall remain at school until the regular dismissal time.

Long-Term Suspension or Expulsion Procedures:

Before a student is subject to long-term suspension (not to exceed 90 school days) or expulsion (not to exceed 186 school days), a hearing shall be conducted by a hearing officer who has the authority to suspend or expel. The superintendent/principal shall designate a hearing officer. Formal hearings shall be conducted according to procedures outlined in current Kansas law and;

- The student and parents or guardians shall be given written notice of the time, date, and place of the hearing.
- The notice shall include copies of the suspension/expulsion law and appropriate board policies, regulations and handbooks.
- Either a certified employee or committee of certified employees may conclude the hearing.
- Expulsion hearings for weapons violations shall be conducted in compliance with Kansas law by persons appointed by the board.
- The person or committee conducting the hearing shall prepare findings required by law.
- Records of the hearing shall be available to students and parents or guardians according to Kansas law.
- Written notice of the result of the hearing shall be given to the pupil and to parents and guardians within 24 hours after the determination of such result.

Student Rights During a Long-Term Suspension/Expulsion Hearing

The student shall have the right:

- to counsel of his/her choice;
- to have a parent or guardian present;
- to hear or read a full report of testimony of witnesses;

- to confront and cross-examine witnesses who appear in person at the hearing;
- to present witnesses in their behalf;
- to testify in his or her own behalf and to give reasons of his or her conduct;
- to an orderly hearing; and
- to a fair and impartial decision based on substantial evidence.

Appeal to the Board

The following conditions shall apply if a student or the student's parent or guardian files a written appeal of suspension or expulsion:

- Written notice of the appeal shall be filed with the clerk within 10 calendar days of the hearing.
- The board shall schedule an appeal with the board or a hearing officer appointed by the board within 20 calendar days.
- The student and the student's parent shall be notified in writing of the time and place of the appeal at least 5 calendar days before the hearing.
- The hearing shall be conducted as a formal hearing using the same rules noted earlier for the expulsion hearings.
- The board shall provide a certified court reporter to transcribe the hearing.
- The board shall render a final decision within 5 calendar days after the conclusion of the appeal hearing.

PROBATIONARY STATUS

The principal may defer any punishment, suspension or expulsion. The student involved may be placed on probation for a set period of time.

The punishment, suspension or expulsion shall remain deferred so long as the student meets the condition of the probation. If a student is placed on probation, written notification shall be sent to the student's parent or guardian. A student placed on probation shall be given a written list of terms and conditions of the probation. The student shall sign a statement that: the terms and conditions have been explained, the student understands the conditions, the student agrees to abide by the conditions and failure to abide by the conditions may be reason to reinstate the original punishment.

The superintendent shall handle any probation arrangements resulting from violations of weapons policy.

COMPLAINTS ABOUT POLICY

- Any student may file a complaint with the principal concerning a school rule or regulation if it applies to the student. The complaint shall be in writing, filed within 20 days following the application of the rule or regulation, and must specify the basis for the complaint. The principal shall investigate the complaint and inform the student of the resolution within 10 days after the complaint is filed.

Corporal Punishment (JDA): Shall not be used in the district.

Searches of Students (JCABB): Principals are authorized to search students' clothing and belongings if there is reasonable suspicion that district policies, rules or directives are being violated.

Interrogations and Investigations (JCAC): Building administrators and others designated by the superintendent may conduct investigations and question students about infractions of school rules or the student conduct code. If there is reason to believe a violation of a criminal law has been committed, the principal shall notify the appropriate law enforcement agency and may request further investigation of the alleged violation.

When law enforcement officers conduct an investigation and/or question a student(s) during school hours, the building principal shall make reasonable attempts to contact parents, guardian or representative of the student(s) prior to questioning. To the extent possible reasonable requests of the parents, guardian or representative shall be observed. Notification or attempted notification of parents, guardian or representative shall be documented by the administrator involved. If a student's parents, guardian or representative is not present during questioning of a student, the principal or a certified school staff member shall be present.

Accidents, Reporting of JGFG: Students should report any injury incurred at school or a school-sponsored activity to the principal or appropriate sponsor. When appropriate, a parent shall be notified of a student injury as soon as possible to determine appropriate action. If the student needs medical attention and the parents cannot be reached, the principal shall seek emergency medical treatment.

First Aid (JGFG): If a student has an accident, which requires medical treatment, no action shall be taken by an employee except the following:

- send for medical help;
- make the student as comfortable as possible while waiting for competent medical assistance to arrive; and
- notify the principal.

If an employee present is qualified to administer first aid, aid may be given. Qualified employees, for this purpose, are the school nurse or those employees who have successfully completed an approved Red Cross first aid program.

Administering Medications: (JGFGB): The supervision of oral and injectable medications shall be in strict compliance with the rules and regulations of the board. School employees may not dispense or administer any medications, including prescription and non-prescription drugs, to students except as outlined in board policy.

In certain explained circumstances when medication is necessary in order that the student remains in school, the school may cooperate with parents in the supervision of medication the student will use; but the medical person authorized to prescribe medication must send a written order to the building administrator who may supervise the administration of the medication or treatment, and the parents must submit a written request to the building administrator requesting the school's cooperation in such supervision and releasing the school district and personnel from liability. School personnel shall not be required to be custodians of any medication except as required by a written order of a licensed medical person. The medication shall be examined by the school employee administering the medication to determine if it appears to be in the original container, to be properly labeled and to be properly authorized by the written order of a licensed medical person. Two containers, one for home and one for school, should be requested from the pharmacist. Only oral medications should be administered except in emergency situations. Any changes in type of drugs, dosage and/or time of administration should be accompanied by new physician and parent permission signatures and a newly labeled pharmacy container. The building administrator may choose to discontinue the administration of medication provided he has first notified the parents or medical person in advance of the date of such discontinuance with the reasons therefore. In the administration of medication, the school employee shall not be deemed to have assumed to himself any other legal responsibility other than acting as a duly authorized employee of the school district.

Inoculations (JGCB): All students enrolling in any district school shall provide the building principal with proof of immunization of certain diseases or furnish documents to satisfy statutory requirements. Booster shots required by the Secretary of the Department of Health and Environment are also required.

Students who fail to provide the documentation required by law may be excluded from school by the superintendent until statutory requirements are satisfied. Notice of exclusion shall be given to the parents/guardians as prescribed by law. Students who are not immunized against a particular disease(es) may be excluded from school during any outbreak.

Health Assessments (JGC): All students up to the age of nine shall submit evidence they have undergone a health assessment prior to entering kindergarten or before enrolling in the district for the first time.

Communicable Diseases (JGCC):

Any student noted by a physician or the school nurse as having a communicable disease may be required to withdraw from school for the duration of the illness. The student will be readmitted to regular classes upon termination of the illness, as authorized by the student's physician or as authorized by a health assessment team.

The board reserves the right to require a written statement from the student's physician indicating the student is free from all symptoms of the disease.

Healthcare officials recommend students remain home for 24 hours after fever, diarrhea or vomiting without the use of fever reducing medications.

Drills (EBBE): Students shall be informed of emergency drill procedures at the beginning of each school year. Fire drills will be held every month so that children are aware of the safest procedure to follow if the need should ever arise. Tornado drills are held three times a year. If a tornado occurs during the school day, we do not encourage you to come to the school. We have safe areas where the children will be sheltered. When the danger has subsided, children will be sent home or taken home. If a tornado warning occurs as school is being let out and you are waiting or on your way, we will encourage you to stay inside the school with your child.

Weather Emergencies (EBBD): When the superintendent believes the safety of students is threatened by severe weather or other circumstances, parents and students shall be notified of school closings or cancellations by announcements made over radio/TV station(s) and/or by the SchoolReach Calling/Texting System. If an emergency occurs with less than one hour of warning time, the district will keep all students under school jurisdiction and supervision. Staff will remain on duty with the students during the emergency period. Parents may come to school and pick up their children.

Crisis Procedures: In the unlikely occurrence of a crisis in which the building would have to be evacuated, students will be assembled outside the school building or taken to a prearranged safe area off of school grounds. Children will be released only to parents or a person designated by the parent. Any person picking up a child will be requested to sign the child out of school supervision. Teachers will be responsible for student until the students are officially dismissed.

Asbestos: An asbestos management plan has been developed for the school district. A copy of the management plan is available from the USD 336 district office.

Calendar: A district calendar will be distributed at the beginning of the school year.

Treats and Snacks (Update): Please refer to the Nurse's Peanut/Nut-Free Snack List submitted to parents at the beginning of the year. This can also be found on the school's website. Treats that are not on this list may not be passed out to students.

School Pictures: School pictures are a service to parents and families. We use the fall school pictures for the yearbook. Parents will be notified of dates for Fall and Spring Pictures.

Field Trips (IFCB): Students may participate in a field trip if the parental consent form for the trip has been completed and turned in to the office.

Complaints about Policy (JCE, KN): The Board of Education, administration and teachers recognize that parents of students may have complaints regarding a teacher. In order to provide a process of handling such complaints which is fair to the board, administration, and parents the following procedure should be utilize. Meeting the best interest of the students will always be the desired outcome of any problem resolution step.

Step 1: The parents and/or students should meet with the teacher to discuss the conflict and alternatives.

Step 2: In the event the principal is not involved in Step 1 and if the meeting between the teacher, parent and/or student does not resolve the conflict, the building principal will initiate a meeting with the teacher, parent and/or student to resolve the conflict.

Step 3: If there is no resolution at Step 2, the principal will notify the superintendent who shall call a meeting with the principal, teacher, parent and/or student in order to attempt to resolve the conflict.

Step 4: If there is no resolution at Step 3, the parent, teacher or administrator may request an executive session meeting with the Board of Education.

It is understood that parents may contact the administration or board members directly. When this occurs, an attempt will be made to handle the complaint through the process of steps listed above.

Also, see more on this policy at the end of the handbook.

Distribution of Materials (KI): Materials unrelated to the school's curriculum may not be distributed without prior consent of the principal. *Birthdays invitations are not to be handed out at school unless the entire class is invited.*

Student Gifts to Staff Members (JL): The giving of gifts between students and staff members is discouraged. Students shall be allowed to collect money or purchase gifts for faculty members with the principal's approval.

Student Insurance: Holton USD 336 **does not** provide accident insurance for students. A copy of the policy is available in the office. If a student needs health insurance please contact the school nurse for references of where coverage may be available.

Personal Property: The district is not responsible for students' personal property and does not provide insurance on students' personal property. If a student's personal property is broken, damaged or stolen repair or replacement is the student's responsibility.

Electronic Devices: Each teacher in his or her classroom determines electronic device usage. Teachers may confiscate cell phones, MP3 players, Ipods, and other electronic devices. Cameras and any other device capable of making pictures, are banned from all school areas including bathrooms and locker rooms.

Telephone Calls: District telephones are for school business. Use of phones for personal business should be avoided except in case of an emergency. Use of phones for social calls is not permitted. Students need to be responsible for their own actions and will be discouraged from calling for materials they have forgotten. Students may use the office phone whenever necessary for illness and emergency purposes. Students must have permission to use phones.

Cell Phones: Cellular devices shall not disrupt the educational process. It is suggested that cell phones not be at school. Keep cell phones in school bags. Any cell phone that is seen or heard between 7:45 a.m. and 3:05 p.m. without permission will be subject to the following:

1st Offense: Cell phone confiscated for the remainder of the school day.

2nd Offense: Cell phone confiscated until parent or guardian retrieves it from the office.

Visitors (KM): Patrons and parents are encouraged to visit the district facilities. All visits shall be scheduled with the building principal and please keep the visit to 45 minutes in length.

To ensure safety and security, all visitors must check in at the office before proceeding to contact any other person in the building or on the grounds. **Students are not allowed to bring visitors to school.**

Opening Time: School begins at 8:10. Breakfast will be served in the lunchroom beginning at 7:45 a.m. and ending by 8:00 a.m. Supervision will not be provided before 7:45. Students should not arrive before supervision begins at 7:45.

Closing Time: School is dismissed at 3:10. (All walkers will be dismissed at 3:10) Students are expected to clear the building and grounds by 3:20. Walkers will exit the building out of the east doors towards the playground. Students getting picked up will exit out of the southwest doors and wait with school staff for their ride to arrive. Bus riders will exit out of the main entrance/exit of the building by the office.

Buildings and Grounds (KGA): Requests for use of the district's buildings and grounds by individuals or outside organizations must be submitted to the Building Principal for consideration. Fees or Rental charges may apply.

Appropriate Use of Equipment and Supplies: Use of equipment and supplies is for the performance of official and approved assignments only. Use of district equipment or supplies for personal projects is prohibited without prior permission of the teacher.

Students shall handle all school equipment and supplies carefully. Students shall be responsible for any damage they cause to school equipment or supplies.

Computer Use (IIBG):

The instructors and staff at Holton Elementary School believe that all students should have access to technology. Internet access and other online services, available to students and teachers offer a multitude of global resources. Our goal in providing these services is to enhance the educational development of our students.

Acceptable uses of technology are devoted to activities that support teaching and learning. All students will be asked to agree to the following rules to help ensure they use our technologies in a responsible, efficient, courteous and legal manner.

Using the computer or other device (Ipad, Ipod, etc) correctly and responsibly is very important. I promise to follow these rules:

1. I promise to use all computer equipment carefully.
2. I promise to use the computer and the Internet for schoolwork only. I will use the programs and websites that my teacher has approved.
3. I promise not to share my password.
4. I promise not to damage or tamper with the hardware, software or the network.
5. I promise to obey copyright laws.
6. I realize Internet filtering solutions are not perfect, and I promise to tell my teacher if I read or see something on the computer that is inappropriate.
7. I promise never to use the computer to be hurtful to others. I will not view, send or display inappropriate messages or pictures.
8. I promise to print only when my teacher tells me.
9. I promise to only use my own file or my own folder on the student server.
10. I understand the work I do on school computers is not private.
11. I understand that if I break any of my promises, I might not be able to use the computers, and I may be suspended from school.

Use of or access to district computers and computer software is limited to district employees and students. Use of computers is for the performance of official and approved assignments only. Use of district computer equipment or software for personal student projects is prohibited without prior permission of the teacher.

Only software purchased by the district may be loaded onto district computers. Software licensed to the district shall not be used on computers not owned by the district. District software shall not be copied for personal use. Students shall not use electronic communications, including e-mail and the Internet, to harass staff, students, or other individuals.

No Right to Privacy

Students shall have no expectation of privacy or restricted access to any information generated during the course of their work or entered in any district computers. Students waive any right to privacy in e-mail messages and consent to the access and disclosure of e-mail messages by authorized persons.

Students shall only use passwords or other encoding or security mechanisms as assigned by the district computer system(s) administrator or other officials designated by the board. The use of a password does not affect the administration's right to monitor. All forms of electronic communications are monitored by the administration to ensure the systems are only being used for official purposes.

Ownership

Computer materials or devices created, as part of any assignment undertaken on school time shall be the property of the district.

Internet

Inappropriate use and/or transmission of any material in violation of any United States or state regulation, is prohibited. This includes, but is not limited to copyrighted material, threatening or obscene material, or material protected by a trade secret.

Computer Network Use Guidelines

All users of the schools' computers and networks are expected to abide by the generally accepted rules of network etiquette (netiquette). Informal rules of behavior have evolved for the use of and communication on the Internet and other on-line services. These rules of behavior include, but are not limited to, the following:

- Be polite. Do not write or send abusive messages to others.
- Use appropriate language. Do not swear, use vulgarities or any inappropriate language.
- Do not reveal your personal address or phone numbers or that of other students or colleagues.
- Note that electronic mail (e-mail) is not guaranteed to be private. People who operate the system do have access to mail. Messages relating to or in support of illegal activities may be reported to the authorities.
- All communications and information accessible via the network should be assumed to be private property, which is subject to copyright laws.
- Do not place unlawful information on any network system.
- Keep paragraphs and messages short and to the point. Focus on one subject per message.
- Do not use the network in such a way that would disrupt the use of the network by other users (e.g., downloading very large files during prime time; sending mass email messages).

Consequences of Violation of Technology Policies

All of the policies and handbook procedures for acceptable use of computers and network are intended to make the computers and networks more useful to students and teachers.

Level 2: Pattern of Abuse, Repeated Abuse or Flagrant Violations: Student who, after a Level 1 warning, continues to engage in serious or persistent misbehavior by violating the district's previously communicated written standards of conduct may be removed from any computer/Internet privileges for the remainder of the school year or remaining school years and recommended for suspension.

Level 3: Expellable Offense: Student could be expelled from school (removal for ten days or more) if he/she engages in conduct on the Internet that contains the elements of the offense of criminal mischief, as defined by state and federal law. Any student expelled for misuse of technology will also lose computer privileges for the remainder of the school year or school years.

The district makes no guarantee that the functions or the services provided by or through the district system will be error-free or without defect. The district will not be responsible for any damage you may suffer including, but not limited to loss of data or interruptions of service. The district is not responsible for the accuracy or quality of information attained through or stored on the system. The district will not be responsible for financial obligations arising from unauthorized use of the system.

The administrative staff and/or their designee may review files and monitor all students' computers and internet activity to maintain system integrity and ensure that users are acting responsibly. Teachers and administrator may monitor ongoing student Internet activity to maintain system integrity and ensure that student users are abiding by this policy and are acting responsibly. Privacy is not guaranteed.

No Right to Privacy: **Students shall have no expectation of privacy or restricted access to any information generated during the course of their work or entered in any district computers.**

Counselor (II): The counselor is available to assist students with personal concerns.

Library: Holton Elementary School offers a media center that provides learning, supplemental, and recreational materials through books, magazines, computers, and audiovisual aids. There is a lost library book fee payable to USD 336. Students needing to make use of the library before and after school should make prior arrangements with staff.

Nurse: The school nurse is available to students upon request.

Food Service (JGH): Students will remain at the school through meal periods. Free or reduced price meals shall be provided for students who qualify under state and federal rules and regulations. The eligibility forms, rules and regulations governing this program shall be provided by the administration to students or their parents. **No hot-lunches will have a peanut based product on the tray.**

EE Food Services Management:

Free and Reduced Price Meals - Parents or guardians of students attending schools participating in federal school meal programs must be informed of the availability of reimbursable school meals and provided with information about eligibility and the process for applying for free or reduced price meals on or before the start of each school year.

Unpaid Meal Charges - The district's meal charging requirements are as follows. Charge accounts for students paying full or reduced price meals will be established with the district upon enrollment. A text, email or phone call will be placed every Tuesday and Thursday when a student's meal balance goes below \$3.00. Parents and students will continue to be notified as long as the account is negative. A lunch letter is also mailed out once each month to those students with a negative balance.

If payment of the negative balance is not received within 30 working days of the account going into the negative, the debt will be turned over to the superintendent or the superintendent's designee for collection in accordance with the board policy DP. If the debt is not paid prior to the end of the school year then the balance will be added onto enrollment fees for the following year. If the prior year negative account balance remains to be unpaid 60 days after enrollment, it shall be considered bad debt for the purposes of federal law concerning unpaid meal charges. At this time it will be turned over to a collection agency. Loaning, exchanging, borrowing or misusing meal tickets - In order to protect the confidentiality of all students, exchanging and/or borrowing meal tickets is prohibited by federal guidelines. To prevent the possible reuse or misuse of meal tickets it is the responsibility of the staff cashier to ensure that all tickets are clearly identified when issued and used. It is also the responsibility of this staff member to ensure that only the individual that has been issued the ticket actually is the one using it.

Refunds - All refunds of meal balances are handled at the district office. The district office must receive a request from the school building signed by the principal in order to process the refund. Refunds will only be made if a student is leaving the school district or at the end of the school year. Refunds of \$5.00 or less will only be refunded at the written request of a parent or guardian. A request must be received at the school in the case that the parent/legal guardian wishes the positive balance to be transferred to another family member in the district.

Recess:

Students are expected to follow the rules of the recess supervisor(s) at all times. Please be sure your child has proper clothing for outdoor play. If the 'real feel' temperature is between 40-60 degrees Fahrenheit, sweatshirts/coats/jackets are encouraged during recess.

Students must have a coat to participate in outdoor recess if the 'real feel' temperature is 40 degrees F or below. A hooded sweatshirt is not considered a coat. When the outside temperature dictates a need for a coat, the student will also be required to wear long pants and closed-toe shoes out to recess. If a student does not have proper clothing, students will be supervised in the office.

Temperature Guidelines for PK-5th Grade (Real Feel Temp):

- 20 degrees or above - regular outdoor recess
- 11-19 degrees possible shortened outdoor recess at administration discretion
- 10 degrees or below - indoor recess.
- If the heat index indicates a high risk or temperature is above 95 degrees Fahrenheit, we will have indoor recess.
- If there is significant precipitation, we will have indoor recess.

If parents wish their child to stay in at recess due to health reasons, a note should be sent to the child's teacher indicating the reason for the request. If a child is to be kept in for three consecutive days, a note from the child's doctor is requested.

The same guidelines for attire apply to outside events such as city and school district parades.

Music Concerts: Students are expected to participate in any evening music programs. This participation is a component of a student's final grade in music class. Failure to attend an evening program or notify the music teacher of the reason for absence could result in a deduction in one's final music grade.

Emergency Safety Interventions:

The board of education is committed to limiting the use of Emergency Safety Interventions ("ESI"), such as seclusion and restraint, with all students. The board of education encourages all employees to utilize other behavioral management tools, including prevention techniques, de-escalation techniques, and positive behavioral intervention strategies.

Kansas Emergency Safety Interventions Law Kansas Statutes Annotated

K.S.A. 2016 Supp. 72-89d01. Sections 1 through 8, and amendments thereto, shall be known and may be cited as the freedom from unsafe restraint and seclusion act.

K.S.A. 2016 Supp. 72-89d02. As used in K.S.A. 2016 Supp. 72-89d01 through 72-89d07, and amendments thereto:

- (a) "Appointing authority" means a group of persons empowered by statute to make human resource decisions that affect the employment of officers.
- (b) "Campus police officer" means a school security officer designated by the board of education of any school district pursuant to K.S.A. 72-8222, and amendments thereto.
- (c) "Chemical restraint" means the use of medication to control a student's violent physical behavior or restrict a student's freedom of movement.
- (d) "Commissioner" means the commissioner of education.
- (e) "Complaint" means a written document that a parent files with a local board as provided for in this act.
- (f) "Department" means the state department of education.
- (g) "Emergency safety intervention" means the use of seclusion or physical restraint, but does not include the use of time-out.
- (h) "Hearing officer" means the state department employee designated to conduct an administrative review.
- (i) "Incident" means each occurrence of the use of an emergency safety intervention.
- (j) "Law enforcement officer" and "police officer" means 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.
- (k) "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.
- (l) "Local board" means the board of education of a district or the governing body of any accredited nonpublic school.
- (m) "Mechanical restraint" means any device or object used to limit a student's movement.
- (n) "Parent" means: (1) A natural parent; (2) an adoptive parent; (3) a person acting as a parent as defined in K.S.A. 72-1046(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.
- (o) "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 escort shall not be considered an emergency safety intervention.
- (p) "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.
- (q) "School" means any learning environment, including any nonprofit institutional day or residential school or accredited nonpublic school, that receives public funding or which is subject to the regulatory authority of the state board of education.
- (r) "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.

(s) "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.

(t) "Seclusion" means placement of a student in a location where all 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 the student reasonably believes that such student will be prevented from leaving the enclosed area.

(u) "State board" means the Kansas state board of education.

(v) "Time-out" means a behavioral intervention in which a student is temporarily removed from a learning activity without being secluded.

K.S.A. 2016 Supp. 72-89d03.

(a) Emergency safety interventions 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 emergency safety interventions, 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 emergency safety interventions. The use of an emergency safety intervention 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 emergency safety intervention. Use of an emergency safety intervention for purposes of discipline, punishment or for the convenience of a school employee shall not meet the standard of immediate danger of physical harm.

(b) A student shall not be subjected to an emergency safety intervention if the student is known to have a medical condition that could put the student in mental or physical danger as a result of the emergency safety intervention. The existence of such medical conditions must be indicated in a written statement from the student's licensed health care provider, a copy of which shall be provided to the school and placed in the student's file. Such written statements shall include an explanation of the student's diagnosis, a list of any reasons why an emergency safety intervention would put the student in mental or physical danger and any suggested alternatives to the use of emergency safety interventions. Notwithstanding the provisions of this subsection, a student may be subjected to an emergency safety intervention, if not subjecting the student to an emergency safety intervention would result in significant physical harm to the student or others.

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

(d) 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 cases of emergency, such as fire or severe weather.

(e) 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, and shall be well-ventilated and sufficiently lighted.

(f) The following types of restraint shall be prohibited:

(1) Prone, or face-down, physical restraint; supine, or face-up physical restraint; physical restraint that obstructs the airway of a student; or any physical restraint that impacts a student's primary mode of communication;

(2) chemical restraint, except as prescribed treatments for a student's medical or psychiatric condition by a person appropriately licensed to issue such treatments; and (3)

mechanical restraint, except those protective or stabilizing devices either ordered by a person appropriately licensed to issue the order for the device or required by law, any device used by a certified law enforcement officer in carrying out law enforcement duties, seatbelts and any other safety equipment when used to secure students

during transportation.

(g) Each local board shall develop and implement written policies to govern the use of emergency safety interventions in schools. At a minimum, written district policies shall conform to the standards, definitions and requirements of this act.

Such written policies shall include that:

(1) (A) School personnel training shall be designed to meet the needs of personnel as appropriate to their duties and potential need for the use of emergency safety interventions;

(B) training shall address prevention techniques, de-escalation techniques and positive behavioral intervention strategies;

(C) training shall be consistent with nationally recognized training programs; and

(D) schools shall maintain written or electronic documentation on training provided and lists of participants in each training for inspection by the Kansas state board of education;

(2) a local dispute resolution process shall be developed, which shall include the following:

(A) A procedure for a parent to file a complaint with the local board. If a parent believes that an emergency safety intervention has been used on the parent's child in violation of the act, rules and regulations or the local board's emergency safety intervention policy, the parent may file a complaint within 30 days of the date on which the parent was informed of the use of the emergency safety intervention;

(B) a procedure for complaint investigation;

(C) a procedure to implement a dispute-resolution final decision. The local board's decision shall be in writing and shall include findings of fact and any corrective action required by the school if the local board deems such action necessary. The local board's final decision shall be mailed to the parent and the department within 30 days of the local board's receipt of the complaint; and

(D) a procedure setting out the parent's right to request an administrative review by the state board, including information as to the deadline by which the parent must submit the request to the state board;

(3) a system for the collection and maintenance of documentation for each use of an emergency safety intervention as set forth in K.S.A. 2015 Supp. 72-89d04, and amendments thereto;

(4) a procedure for the periodic review of the use of emergency safety interventions at each school, which shall be compiled and submitted at least biannually to the superintendent or the superintendent's designee; and

(5) a schedule for when and how parents are provided with notice of the local board's written policies on the use of emergency safety interventions.

(h) Written policies developed pursuant to this act shall be accessible on each school's website and shall be included in each school's code of conduct, school safety plan or student handbook.

(i) (1) Campus police officers and school resource officers shall be exempt from the requirements of this act when engaged in an activity that has a legitimate law enforcement purpose.

(2) School security officers shall not be exempt from the requirements of this act.

K.S.A. 2016 Supp. 72-89d04. (a)(1) When a student is subjected to an emergency safety intervention, the school shall notify the parent on the same day the emergency safety intervention was used. If the school is unable to contact the parent, the school shall attempt to contact the parent using at least two methods of contact. The same-day notification requirement of this subsection shall be deemed satisfied if the school attempts at least two methods of contact. A parent may designate a preferred method of contact to receive the same-day notification required by this subsection. A parent may agree, in writing, to receive only one same-day notification from the school for multiple incidents occurring on the same day. Written documentation of the use of an emergency safety intervention shall be completed and provided to the parent no later than the school day following the day on which the emergency safety intervention was used. Such written documentation shall include:

(A) The events leading up to the incident;

student behaviors that necessitated the emergency safety intervention;

(C) steps taken to transition the student back into the educational setting;

(B)

(D) the date and time the incident occurred, the type of emergency safety intervention used, the duration of the emergency safety intervention and the school personnel who used or supervised the emergency safety intervention;

(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 use of emergency safety interventions; and

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

(2) The parent shall be provided the following information after the first incident in which an emergency safety intervention is used during the school year, and may be provided such information after each subsequent incident that occurs during the school year:

(A) A copy of the standards of when emergency safety interventions can be used;

(B) a flyer on the parent's rights;

(C) information on the parent's right to file a complaint through the local dispute resolution process and the complaint process of the state board of education; and

(D) information that will assist the parent in navigating the complaint process, including contact information for the parent training and information center and protection and advocacy system. Upon the first occurrence of an incident involving the use of emergency safety interventions, the parent shall be provided the foregoing information in printed form or, upon the parent's written request, by email. Upon occurrence of a second or subsequent incident the parent shall be provided with a full and direct website address containing such information.

(b) 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 in subsection (a)(1) regarding 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.

(c) The department shall compile reports from schools on the use of emergency safety interventions and provide the results based on aggregate data on the department website, and to the governor and the committees on education in the senate and the house of representatives by January 20, 2016, and annually thereafter. The data governance board of the department shall use the actual data value when providing statewide aggregate data for such reports. The department's reported results shall include, but shall not be limited to, the following information:

(1) The number of incidents in which emergency safety interventions were used on students who have an individualized education program;

(2) the number of incidents in which emergency safety interventions were used on students who have a section 504 plan;

(3) the number of incidents in which emergency safety interventions were used on students who do not have an individualized education program or a section 504 plan;

(4) the total number of incidents in which emergency safety interventions were used on students;

(5) the total number of students with behavior intervention plans subjected to an emergency safety intervention;

(6) the number of students physically restrained;

(7) the number of students placed in seclusion;

(8) the maximum and median number of minutes a student was placed in seclusion;

(9) the maximum number of incidents in which emergency safety interventions were used on a student; (10) the information reported under subsection (c)(1) through (c)(3) by the school to the extent possible; (11) the information reported under subsections (c)(1) through (c)(9) aggregated by age, ethnicity, gender and eligibility for free and reduced lunch of the students on a statewide basis; and

(12) such other information as the department deems necessary to report.

K.S.A. 2016 Supp. 72-89d05. (a) 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 meeting convened under this subsection shall be to discuss proactive ways to prevent the need for emergency safety interventions and to reduce incidents in the future.

(1) For a student who has an individualized education program or a section 504 plan, such student's individualized education program team or section 504 plan team shall discuss the incident and consider the need to conduct a functional behavioral analysis, develop a behavior intervention plan or amend either if already in existence. For a student with a section 504 plan, such student's section 504 plan team shall discuss and consider the need for an evaluation under the special education for exceptional children act, K.S.A. 72-961 et seq., and amendments thereto. 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.

(2) For a student who does not have an individualized education program or section 504 plan, the parent and school shall discuss the incident and consider the appropriateness of a referral for an evaluation under the special education for exceptional children act, K.S.A. 72-961 et seq., and amendments thereto, the need for a functional behavioral analysis or the need for a behavior intervention plan. Any meeting called pursuant to this subsection shall include the student's parent, a school administrator for the school where the student attends, one of the student's teachers, a school employee involved in the incident and such other school employees designated by the school administrator as appropriate for such a meeting.

(b) The parent shall determine whether the student shall be invited to any meeting called pursuant to this section.

(c) The time for calling a meeting pursuant to this section shall be extended beyond the 10-school-day limit if the parent of the student is unable to attend within that time period.

(d) Nothing in this section shall be construed to prohibit the development and implementation of a functional behavioral analysis or a behavior intervention plan for any student if such student may benefit from such measures.

K.S.A. 2016 Supp. 72-89d06. The state board of education shall adopt rules and regulations as necessary to implement the provisions of this act on or before March 1, 2016. Such rules and regulations shall include, but not be limited to, the standards for the use and reporting of emergency safety interventions as provided in sections 2 through 5, and amendments thereto.

K.S.A. 2016 Supp. 72-89d07. (a) Thereby established the emergency safety intervention task force. The task force shall consist of the 17 members appointed as follows:

- (1) Two members shall be appointed by the state board of education, one of which shall be a member of the state board of education and one of which shall be an attorney for the department;
- (2) two members shall be appointed by the disability rights center of Kansas;
- (3) two members shall be appointed by families together inc., one of which shall be a parent of a child with a disability;
- (4) two members shall be appointed by keys for networking, inc., one of which shall be a parent of a child with a disability;
- (5) two members shall be appointed by the special education advisory council;
- (6) two members shall be appointed by the Kansas association of special education administrators;
- (7) two members shall be appointed by the executive director of the Kansas council on developmental disabilities, one of which shall be a parent of a child with a disability;
- (8) two members shall be appointed by the Kansas association of school boards, one of which shall be an attorney for the association; and
- (9) one member shall be appointed by the center for child health and development of the university of Kansas medical center, who shall be a person licensed to practice medicine and surgery in Kansas who is a practicing physician with experience treating and diagnosing individuals with disabilities, but who is not a staff member of

the center for child health and development of the university of Kansas medical center.

(b) The emergency safety intervention task force shall study and review the use of emergency safety interventions and prepare a report on its findings and recommendations concerning the use of such interventions. The task force's report shall be submitted to the governor and the legislature on or before January 20, 2016.

(c) The member of the task force who is also a member of the state board of education shall call an organizational meeting of the task force on or before August 1, 2015. At such organizational meeting the members shall elect a chairperson and vice-chairperson from the membership of the task force. The task force also shall consider dates for future meetings, the agenda for such meetings and the need for electing a facilitator to assist in discussions among the members of the task force.

(d) The task force may meet at any time and at any place within the state on the call of the chairperson. A quorum of the task force shall be eight members. All actions of the task force shall be by motion adopted by a majority of those members present when there is a quorum.

(e) If approved by the legislative coordinating council, members of the task force attending meetings authorized by the task force shall be paid amounts for expenses, mileage and subsistence as provided in K.S.A. 75-3223(e), and amendments thereto.

K.S.A. 2016 Supp. 72-89d08. The provisions of K.S.A. 2015 Supp. 72-89d01 through 72-89d08, and amendments thereto, shall expire on June 30, 2020.

Kansas Administrative Regulations Article 42. EMERGENCY SAFETY INTERVENTIONS

91-42-1. Definitions. As used in this article, each of the following terms shall have the meaning specified in this regulation: (a) "Administrative review" means review by the state board upon request of a parent.

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

(c) "Commissioner" means commissioner of education.

(d) "Complaint" means a written document that a parent files with a local board as provided for in this article.

(e) "Department" means the state department of education.

(f) "District" means a school district organized under the laws of this state that is maintaining a public school for a school term pursuant to K.S.A. 72-1106, and amendments thereto. This term shall include the governing body of any accredited nonpublic school.

(g) "Emergency safety intervention" means the use of seclusion or physical restraint.

(h) "Hearing officer" means the state board's designee to conduct an administrative review as specified in K.A.R. 91-42-5. The officer shall be an officer or employee of the department.

(i) "Local board" means the board of education of a district or the governing body of any accredited nonpublic school.

(j) "Mechanical restraint" means any device or object used to limit a student's movement. (k) "Parent" means any of the following:

(1) A natural parent;

(2) an adoptive parent;

(3) a person acting as a parent, as defined in K.S.A. 72-1046 and amendments thereto; (4) a legal guardian;

(5) an education advocate for a student with an exceptionality;

(6) a foster parent, unless the foster parent's child is a student with an exceptionality; or (7) a student who has reached the age of majority or is an emancipated minor.

(l) "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.

(m) "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.

(n) "School" means any learning environment, including any nonprofit institutional day or residential school or accredited nonpublic school, that receives public funding or which is subject to the regulatory authority of the state board.

(o) "Seclusion" means placement of a student in a location where all 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.

(3) The student is prevented from leaving, or the student reasonably believes that the student will be prevented from leaving, the enclosed area.

(p) "State board" means Kansas state board of education.

(q) "Time-out" means a behavioral intervention in which a student is temporarily removed from a learning activity without being secluded. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective April 19, 2013; amended, T-91-2-17-16, Feb. 17, 2016; amended, June 10, 2016.)

91-42-2. Standards for the use of emergency safety interventions. (a) An emergency safety intervention shall be used only when a student presents a reasonable and immediate danger of physical harm to the student or others with the present ability to effect such physical harm. Less restrictive alternatives to emergency safety interventions, including positive behavior interventions support, shall be deemed inappropriate or ineffective under the circumstances by the school employee witnessing the student's behavior before the use of any emergency safety interventions. The use of emergency safety interventions 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 emergency safety intervention.

(b) Use of an emergency safety intervention for purposes of discipline or punishment or for the convenience of a school employee shall not meet the standard of immediate danger of physical harm. (c) A student shall not be subjected to seclusion if the student is known to have a medical condition that could put the student in mental or physical danger as a result of seclusion. The existence of the medical condition must be indicated in a written statement from the student's licensed health care provider, a copy of which shall be provided to the school and placed in the student's file.

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

(e) Each seclusion room 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 cases of emergency, including fire or severe weather.

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

(g) The following types of restraint shall be prohibited:

(1) Prone, or face-down, physical restraint;

(2) supine, or face-up, physical restraint;

(3) any restraint that obstructs the airway of a student;

(4) any restraint that impacts a student's primary mode of communication;

(5) chemical restraint, except as prescribed treatments for a student's medical or psychiatric condition by a person

appropriately licensed to issue these treatments; and

(6) the use of mechanical restraint, except those protective or stabilizing devices either ordered by a person appropriately licensed to issue the order for the device or required by law, any device used by a law enforcement officer in carrying out law enforcement duties, and seatbelts and any other safety equipment when used to secure students during transportation.

(h) The following shall not be deemed an emergency safety intervention:

(1) physical escort; and

(2) time-out. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective April 19, 2013; amended, T-91-2-17-16, Feb. 17, 2016; amended, June 10, 2016.)

91-42-3. District policy, training, and local board dispute resolution. (a) Each district shall develop and implement written policies to govern the use of emergency safety interventions over all schools. At a minimum, written district policies shall conform to the standards, definitions, and requirements of this article. The written policies shall also include the following:

(1) (A) School personnel training shall be designed to meet the needs of personnel as appropriate to their duties and potential need for emergency safety interventions;

(B) training shall address prevention techniques, de-escalation techniques, and positive behavioral intervention strategies;

(C) any training on the use of emergency safety interventions by the district shall be consistent with nationally recognized training programs; and

(D) schools and programs shall maintain written or electronic documentation on training provided and lists of participants in each training; and

(2) a local dispute resolution process, which shall include the following:

(A) A procedure for a parent to file a complaint with the local board. If a parent believes that an emergency safety intervention has been used with the parent's child in violation of this article or the district's emergency safety intervention policy, the parent may file a complaint with the local board. The complaint shall be filed within 30 days of the date on which the parent was informed of the use of that emergency safety intervention;

(B) a complaint investigation procedure;

(C) a dispute resolution final decision. The local board's final decision shall be in writing and shall include findings of fact and any corrective action required by the district if the local board deems these actions necessary. The local board's final decision shall be mailed to the parent and the department within 30 days of the local board's receipt of the complaint; and

(D) a statement of the parent's right to request an administrative review by the state board as specified in K.A.R. 91-42-5, including information as to the deadline by which the parent must submit the request to the state board.

(3) a system for the collection and maintenance of documentation for each use of an emergency safety intervention, which shall include the following:

(A) the date and time of the emergency safety intervention;

(B) the type of emergency safety intervention;

(C) the length of time the emergency safety intervention was used;

(D) the school personnel who participated in or supervised the emergency safety intervention;

(E) whether the student had an individualized education program at the time of the incident;

(F) whether the student had a section 504 plan at the time of the incident; and

(G) whether the student had a behavior intervention plan at the time of the incident;

(4) procedures for the periodic review of the use of emergency safety intervention at each school, which shall be compiled and submitted at least biannually to the district superintendent or district designee; and

(5) a schedule for when and how parents are provided with notice of the written policies on the use of emergency safety interventions.

(b) written policies developed pursuant to this article shall be accessible on each school's web site and shall be included in each school's code of conduct, school safety plan, or student handbook. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective, T-91-2-17-16, Feb. 17, 2016; effective, June 10, 2016.)

91-42-4. Parent notification, required meeting, and filing a complaint. (a) When an emergency safety intervention is used with a student, the school shall notify the parent the same day the emergency safety intervention was used. If the parent cannot be notified, the school shall notify the emergency contact person for the student.

(b) The school shall provide documentation of the emergency safety intervention used to the parent no later than the school day following the day on which the emergency safety intervention was used. This documentation shall include the date and time of the intervention, the type of intervention, the length of time the intervention was used, and the school personnel who participated in or supervised the intervention.

(c) In addition to the documentation required by subsection (b) the school shall provide the parent additional information.

(1) After the first incident in which an emergency safety intervention is used with a student during the school year, the school shall provide the following information in printed form to the parent:

(A) A copy of the standards of when emergency safety interventions can be used;

(B) a flyer on the parent's rights;

(C) information on the parent's right to file a complaint through the local dispute resolution process and the complaint process of the state board of education; and

(D) information that will assist the parent in navigating the complaint process, including contact information for the parent training and information center and protection and advocacy system.

(2) After subsequent incidents in which an emergency safety intervention is used with a student during the school year, the school shall provide a full website address containing the information the information in paragraph (c)(1).

(d)(1) If there is a third incident involving the use of emergency safety interventions within a school year on a student who has an individualized education program or a section 504 plan, then the student's individualized education program team or section 504 plan team shall meet within 10 days after the third incident to discuss the incident and consider the need to conduct a functional behavioral analysis, develop a behavior intervention plan or amend either if already in existence, unless the individualized education program team or the section 504 plan team has agreed on a different process.

(2) If there is a third incident involving the use of emergency safety interventions within a school year on a student who is not described in paragraph (d)(1), then a meeting between the student's parent and school employees shall be conducted within 10 days after the third incident to discuss the incident and consider the appropriateness of a referral for an evaluation under the special education for exceptional children act, K.S.A. 72-961 et seq., and amendments thereto, the need for a functional behavioral analysis, or the need for a behavior intervention plan. Each meeting called pursuant to this subsection shall include the student's parent, a school administrator for the school where 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 the meeting.

(3) The student shall be invited to any meeting called pursuant to this section.

(4) The time for calling a meeting pursuant to this subsection shall be extended beyond the 10-day limit if the parent of the student is unable to attend within that time period.

(5) Nothing in this subsection shall be construed to prohibit the development and implementation of a functional behavioral analysis or a behavior intervention plan for any student if the student could benefit from such measures but has had fewer than three incidents involving emergency safety interventions within a school year.

(e) If a parent believes emergency safety interventions have been used in violation of this article or policies of the school district, then within 30 days from being informed of the use of emergency safety intervention, the parent

may file a complaint through the local dispute resolution process. A parent may request an administrative review by the state board within 30 days from the date the final decision was issued pursuant to the local dispute resolution process. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective, T-91-2-17-16, Feb. 17, 2016; effective, June 10, 2016.)

91-42-5. Administrative review.

- (a) Any parent who filed a written complaint with a local board regarding the use of emergency safety intervention may request an administrative review by the state board of the local board's final decision.
- (b) Each parent seeking administrative review shall provide the following information in the request:
- (1) The name of the student and the student's contact information;
 - (2) the name and contact information, to the extent known, for all involved parties, including teachers, aides, administrators, and district staff;
 - (3) a detailed statement of the basis for seeking administrative review, with all supporting facts and documentation. The documentation shall include a copy of the complaint filed with the local board and shall include the local board's final decision, if issued. The request shall be legibly written or typed and shall be signed by the parent. Relevant written instruments or documents in the possession of the parent shall be attached as exhibits or, if unavailable, referenced in the request for administrative review; and
 - (4) written consent to disclose any personally identifiable information from the student's education records necessary to conduct an investigation pursuant to this regulation.
- (c)(1) Each request for administrative review shall be filed with the commissioner within 30 days from the date a final decision is issued pursuant to the local dispute resolution process or, if a final decision is not issued, within 60 days from the date a written complaint was filed with the local board.
- (2) The hearing officer shall forward a copy of the request for administrative review to the clerk of the local board from whom the administrative review is sought.
- (d) Upon receipt of each request for administrative review, the hearing officer shall consider the local board's final decision and may initiate its own investigation of the complaint. Any investigation may include the following:
- (1) A discussion with the parent, during which additional information may be gathered and specific allegations identified, verified, and recorded;
 - (2) contact with the local board or other district staff against which the request for administrative review is filed to allow the local board to respond to the request with facts and information supporting the local board's final decision; and
 - (3) an on-site investigation by department officers or employees.
- (e) If the hearing officer receives information that the hearing officer determines was not previously made available to both parties during the local board dispute resolution process, the hearing officer may remand the issue back to the local board. The local board then has 30 days to issue a written amended final decision. Upon remand, the hearing officer's case will be closed. All rights to and responsibilities of an administrative review shall begin again when the local board's amended final decision is issued or upon 30 days from when the hearing officer's remand is issued, whichever occurs first.
- (f) Within 60 days of the commissioner's receipt of the request for administrative review, the hearing officer shall inform the parent, the school's head administrator, the district superintendent, the local board clerk, and the state board in writing of the results of the administrative review. This time frame may be extended for good cause upon approval of the commissioner.
- (g) The results of the administrative review shall contain findings of fact, conclusions of law, and, if needed, suggested corrective action. The hearing officer shall determine whether the district is in violation of this article based solely on the information obtained by the hearing officer during the course of the investigation and the administrative review process. This determination shall include one of the following:
- (1) The local board appropriately resolved the complaint pursuant to its dispute resolution process.
 - (2) The local board should reevaluate the complaint pursuant to its dispute resolution process with suggested findings of fact.
 - (3) The hearing officer's suggested corrective action is necessary to ensure that local board policies meet the

requirements of law.

(h) Nothing in this regulation shall require exhaustion of remedies under this regulation before using procedures or seeking remedies that are otherwise available. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective, T-91-2-17-16, Feb. 17, 2016; effective, June 10, 2016.)

91-42-6. Exemptions. (a) As used in this regulation, each of the following terms shall have the meaning specified in this subsection:

(1) "Appointing authority" means a person or group of persons empowered by statute to make human resource decisions that affect the employment of officers.

(2) "Campus police officer" means a school security officer designated by the board of education of any school district pursuant to K.S.A. 72-8222, and amendments thereto.

(3) "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 laws of this state or of any Kansas municipality. This term shall include "campus police officer."

(4) "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.

(5) "School resource officer" means a law enforcement officer or a 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.

(6) "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.

(b) Campus police officers and school resource officers shall be exempt from the requirements of this article when engaged in an activity that has a legitimate law enforcement purpose.

(c) School security officers shall not be exempt from the requirements of this article.

(Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective, T-91-2-17-16, Feb. 17, 2016; effective, June 10, 2016.)

91-42-7. Reporting. (a) Each district shall report information from all incidents of emergency safety interventions that the department deems necessary to the department by the date and in the form specified by the department.

(b) The department shall compile reports from schools on the use of emergency safety interventions and provide the results based on aggregate data on the department web site, and to the state board, the governor and the committees on education in the senate and the house of representatives by January 20, 2016, and annually thereafter. The department's reported results shall include but shall not be limited to the following information:

(1) The number of incidents in which emergency safety interventions were used on students who have an individualized education program;

(2) the number of incidents in which emergency safety interventions were used on students who have a section 504 plan;

(3) the number of incidents in which emergency safety interventions were used on students who do not have an individualized education program or a section 504 plan;

(4) the total number of incidents in which emergency safety interventions were used on students;

(5) the total number of students with behavior intervention plans subjected to an emergency safety intervention;

(6) the number of students physically restrained;

(7) the number of students placed in seclusion;

(8) the maximum and median number of minutes a student was placed in seclusion;

(9) the maximum number of incidents in which emergency safety interventions were used on a student; (10) the information reported under paragraphs (c)(1) through (c)(3) reported by school to the extent possible;

(11) the information reported under subsections (c)(1) through (c)(9) aggregated by age and ethnicity of the

students on a statewide basis; and

(12) any other information that the department deems necessary to report. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective, T-91-2-17-16, Feb. 17, 2016; effective, June 10, 2016.)

Complaints/OCR Report (KN): KN Complaints (See BCBI, GAACA, GAAB, GAAF, IF, IKD and JCE)

NON-DISCRIMINATION STATEMENT

Discrimination against any individual on the basis of race, color, national origin, sex, disability, age or religion in the admission or access to, or treatment or employment in the district's programs and activities is prohibited. Harassment of an individual on any of these grounds is also prohibited. USD #336 Holton does not discriminate on the basis of race, color, national origin, religion, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The Superintendent and/or Assistant Superintendent has been designated to coordinate compliance with non-discrimination requirements contained in Title VI of the Civil Rights Act of 1964, 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. Information concerning the provisions of these Acts, and the rights provided thereunder, are available from the compliance coordinator.