

To: Board of Education

From: David Cunningham, director, human resources & legal services, ext. 4937

Re: Board Policy Committee Recommendations – Final Action

Date: March 17, 2016

Background:

The Board Policy Committee met to discuss several KASB recommended updates. The board received the recommendations on February 22, 2016. No questions or suggested changes were communicated to the Board Policy Committee; therefore, the committee recommends the board take final action to amend the following board policies:

GBRF Student and Parent Conferences

This policy combines the essence of JFAB Student Conferences and JFAC Parent Conferences into one policy. JFAB and JFAC should therefore be deleted from policy.

JA Goals and Objectives

KASB recommended removing language that creates potential ambiguity and possible legal action with respect to the “best possible educational climate.” The existing policy has language stating the purpose is to “prevent misunderstanding by students about their responsibilities and privileges.” The committee concluded the policy should be designed to provide an “appropriate learning environment,” because it was more encompassing of what board policies are designed to accomplish. The board also recommends that handbooks be consistent with board policy.

JCABB Searches of Students

The committee recommends modifying the language to be more generic regarding the documentation to be maintained when a search occurs. The documentation need not be in a “report” form as long as documentation of the search is maintained by the principal. The current practice does not include providing copies to the superintendent so the committee recommends the language be deleted.

JDD Suspension and Expulsion Procedures

The committee recommends changes to ensure the policy conforms to current statutes regarding suspensions and expulsions. The changes add the one calendar year expulsion for a weapons violation and improves the language on who authorizes the hearing officer.

JDDDB Reporting to Law Enforcement (See EBC and JDD)

The committee recommends adopting this new policy to reflect statutory requirements for reporting to law enforcement conduct which constitutes the commission of any misdemeanor or felony.

JGCBA Automated External Defibrillator

The committee recommends deleting unnecessary language regarding AEDs. By adopting more generic language, it allows for staff to ensure compliance with all regulations without the need to change policy in the future.

JGFB Supervision of Students

The committee recommends removing the reference to “roster” since principals do not use that tool to assign staff.

JGFG Student Accidents

The committee recommends revising this policy to clarify the parent is notified, when appropriate, as soon as possible so information from the parent can assist in determining staffs’ course of action. It also makes clear the principal will make decisions if the parent cannot be reached when it is in the best interest of the student. The records section is being updated to reflect current recordkeeping practices.

Recommendation:

The Board Policy Committee recommends the board take final action to amend the referenced policies.

Motion:

“I move the Board of Education approve the recommended changes to the referenced policies effective March 21, 2016.”

GBRF Student and Parent Conferences

GBRF

1 Parent-teacher conferences shall be scheduled on those days designated in the
2 district calendar adopted by the board. Teachers may be available for student and/or
3 parent conferences at other times to accommodate parent requests. The principal may
4 schedule individual or building-wide parent-teacher conferences as necessary.

Approved: March 21, 2016

JA Goals and Objectives

JA

1 These student policies are designed to provide an appropriate learning
2 environment within the district. The ideas and recommendations of students
3 that are presented to the board may be considered when adopting policies and
4 rules governing the conduct of students and their rights and responsibilities.

5 All student handbooks will be consistent with board policy, approved
6 by the board, and adopted as regulations that are extensions of these policies.

Approved: July 1, 2001

Reviewed by Board Policy Committee: September 20, 2004

Amended: October 25, 2004

Reviewed by Board Policy Committee: January 9, 2008

Amended: February 25, 2008

Amended: March 21, 2016

1 Principals are authorized to search students if there is reasonable
2 suspicion that district policies, rules or directives are being violated. Strip
3 searches shall not be conducted by school authorities. All searches shall be
4 carried out in the presence of another adult and the adult conducting the search
5 shall be of the same gender as the student.

6 The student shall be told why a search is being conducted. The student
7 may be requested to empty items such as, but not limited to, pockets, purses,
8 shoulder bags, book bags and briefcases. The principal shall attempt to call the
9 student's parent and may call law enforcement. Items which the principal be-
10 lieves may be connected with illegal activity shall remain in the custody of the
11 principal unless the items are turned over to law enforcement officials. If the
12 student refuses to cooperate, the principal may take disciplinary action and/or
13 seek assistance from law enforcement. (See JDD and JCAC)

14 If law enforcement assistance is present, further search of the student
15 shall be with cooperation and assistance of law enforcement officials. The
16 principal shall remain with the student and be present during any search of the
17 student made by law enforcement officials on school property. The principal
18 shall receive and retain a receipt for items turned over to law enforcement offi-
19 cials.

20 If the principal believes a student is in possession of an object which
21 can jeopardize the health, welfare or safety of the student or others, the student
22 shall be removed to a safe location. This determination may be based on any
23 information received by the principal or any member of the faculty or staff.

1 Written documentation of each search shall be maintained by the prin-
2 cipal.

Approved: July 1, 2001

Reviewed by Board Policy Committee: October 18, 2004

Reviewed by Board Policy Committee: February 20, 2008

Amended: April 14, 2008

Amended: March 21, 2016

JDD Suspension and Expulsion Procedures (See IHEA, JBD, JCDBB) JDD

1 A student may be suspended or expelled, for reasons set forth in Kansas
2 law, by the following certified personnel: superintendent, principal or assistant
3 principal. Any student who is suspended or expelled shall receive a copy of the
4 current suspension and expulsion law and this policy. Expulsion hearings shall
5 be conducted by the superintendent or other certified employee, or committee
6 of certified employees of the school in which the student is enrolled, or a
7 hearing officer appointed by the board. The superintendent shall conduct
8 expulsion hearings for weapons possession. (See JCDBB)

9 Students identified under Section 504 of the Rehabilitation Act of 1973
10 or special education students with an Individual Education Plan (IEP) under the
11 terms of Individuals with a Disability Education Act (IDEA) may be subject to
12 other regulations when long-term suspension or expulsion is considered.

13 Reasons for Suspension or Expulsion

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

- 16 • Willful violation of any published, adopted student conduct rule;
- 17 • Conduct which substantially disrupts, impedes, or interferes with school
18 operation;
- 19 • Conduct which endangers the safety or substantially impinges on or invades
20 the rights of others;
- 21 • Conduct which could be considered a commission of a misdemeanor or a
22 felony;
- 23 • Disobedience of an order of a school authority if the disobedience results in
24 disorder, disruption or interference with school operation; and
- 25 • Possession of a weapon at school, on school property or at a school-
26 sponsored event. (See JCDBB)

JDD Suspension and Expulsion Procedures (See IHEA, JBD, JCDBB) JDD-2

1 Short-term Suspension

2 Except in an emergency, a short-term suspension (not exceeding ten
3 school days) must be preceded by oral or written notice of the charges to the
4 student and an informal hearing. If a hearing is not held prior to the
5 suspension, an informal hearing shall be provided no later than 72 hours after
6 imposition of a short-term suspension.

7 Notification of any short-term suspension shall be provided to the
8 student's parent within 24 hours after the suspension has been imposed. Short-
9 term suspension hearings may be conducted by those persons designated in this
10 policy to suspend.

11 At the informal suspension hearing, the student shall have the right to
12 be present and to be notified of:

- 13 • The charges;
14 • The basis for the accusation; and
15 • The right to make statements in his/her defense.

16 A short term suspension cannot be appealed.

17 Long-Term Suspension or Expulsion

18 Before a student is subject to long-term suspension (not to exceed 90
19 school days) or expulsion (not to exceed 186 school days or one calendar year
20 for certain weapon and/or destructive device violations), a hearing shall be
21 conducted by a hearing officer who has been authorized by the board. Formal
22 hearings shall be conducted according to procedures outlined in current Kansas
23 law and:

JDD Suspension and Expulsion Procedures (See IHEA, JBD, JCDBB) JDD-3

- 1 • The student and parents shall be given written notice of the time, date and
2 place of the hearing.
- 3 • The notice shall include copies of the suspension/expulsion law, and
4 appropriate board policies, regulations and handbooks.
- 5 • The hearing may be conducted by either a certified employee or committee
6 of certified employees authorized by the board, the chief administrative
7 officer, or other certified employee of the district in which student is
8 enrolled, or by an officer appointed by board.
- 9 • Expulsion hearings for weapons violations shall be conducted in compliance
10 with Kansas law by persons appointed by the board.
- 11 • Findings required by law shall be prepared by the person or committee
12 conducting the hearing.
- 13 • A record of the hearing shall be available to students and parents or
14 guardians according to Kansas law.
- 15 • Written notice of the result of the hearing shall be given to the student and
16 to parents within 24 hours after determination of such result.

17 Rules Which Apply in all Cases When a Student May be Suspended or
18 Expelled

- 19 • Refusal or failure of the student and/or the student's parents to attend the
20 hearing shall result in a waiver of the student's opportunity for the hearing.
- 21 • A student suspended for more than ten school days or expelled from school
22 shall be provided with information concerning services to improve the
23 student's attitude and behavior.
- 24 • A student who has been suspended or expelled shall be notified of the day
25 the student can return to school.
- 26 • If the suspension or expulsion is not related to a weapons violation, the
27 principal may establish appropriate requirements relating to the student's
28 future behavior at school and may place the student on probation. (See
29 JDC)
- 30 • If the expulsion is related to a weapons violation the superintendent may
31 establish appropriate requirements relating to the student's future behavior
32 at school and may place the student on probation. (See EBC, JCDBB and
33 JDC)

JDD Suspension and Expulsion Procedures (See IHEA, JBD, JCDBB) JDD-4

- 1 • The days a student is suspended or expelled are not subject to the
2 compulsory attendance law.

3 During the time a student is suspended or expelled from school, the
4 student may not:

- 5 • Be on school property or in any school building without the permission of
6 the principal.
- 7 • Attend any school activity as a spectator, participant or observer.

8 Students who are suspended for more than ten days or expelled from
9 school may appeal to the board within ten calendar days of receiving written
10 notice of the hearing results.

11 When a suspension is imposed during the school day, the student shall
12 not be removed from school until a parent has been notified. If a parent cannot
13 be notified during regular school hours, the student shall either remain at
14 school or be in the custody of proper authorities until the regular dismissal
15 time.

16 Student Rights During a Long-Term Suspension/Expulsion Hearing

17 The student shall have the right:

- 18 • to counsel of his/her own choice;
- 19 • to have a parent or guardian present;
- 20 • to hear or read a full report of testimony of witnesses;
- 21 • to confront and cross-examine witnesses who appear in person at the
22 hearing;
- 23 • to present his or her own witnesses;
- 24 • to testify in his or her own behalf and to give reasons for his or her
25 conduct;

JDD Suspension and Expulsion Procedures (See IHEA, JBD, JCDBB) JDD-5

- 1 • to an orderly hearing; and
- 2 • to a fair and impartial decision based on substantial evidence.

3 Appeal to the Board

4 The following conditions shall apply if a student age 18 or older or the
5 student's parent or guardian files a written appeal of a long term suspension or
6 expulsion:

- 7 • Written notice of the appeal shall be filed with the clerk of the board within
8 ten calendar days of the notice of receipt of the findings of the initial
9 hearing.
- 10 • The board will schedule an appeal hearing with the board or with one or
11 more hearing officer(s) appointed by the board within twenty calendar days.
- 12 • The student and the student's parent shall be notified in writing of the time
13 and place of the appeal at least ten calendar days before the hearing.
- 14 • The hearing will be conducted as a formal hearing using the same rules
15 described earlier for expulsion hearings.
- 16 • The board will record the hearing.
- 17
- 18 • If the appeal is scheduled with the board, the board shall render a final
19 decision not later than five calendar days after the conclusion of the appeal
20 hearing.
- 21 • If the appeal is scheduled with one or more hearing officers appointed by
22 the board, the board shall render its decision after receiving the written
23 report of the appointed hearing officer(s), but not later than the next
24 regularly scheduled meeting of the board following the date of the
25 conclusion of the hearing of the appeal by the hearing officer(s).

Approved: July 1, 2001

Amended: December 17, 2001

Amended: February 24, 2003

Reviewed by Board Policy Committee: November 1, 2004

Amended: December 11, 2006

Reviewed by Board Policy Committee: March 5, 2008

JDD Suspension and Expulsion Procedures (See IHEA, JBD, JCDBB) JDD-6

Amended: May 12, 2008

Amended: March 21, 2016

JDDB Reporting to Law Enforcement (See EBC and JDD)

JDDB

1 Whenever a student engages in conduct which constitutes the commission of
2 any misdemeanor or felony at school, on school property, or at a school supervised
3 activity and/or has been found 1) in possession of a weapon, 2) in possession of a
4 controlled substance or illegal drug, or 3) to have engaged in behavior at school which
5 has resulted in or was substantially likely to have resulted in serious bodily injury to
6 others, the principal shall report such act to the appropriate law enforcement agency.

Approved: March 21, 2016

JGCBA Automated External Defibrillators (AED)

JGCBA

1 The board approves the use of automated external defibrillators
2 (AEDs) in district schools and other facilities. AEDs shall be properly
3 maintained as required by law and used in accordance with recommended
4 instructions.

Approved: June 23, 2008

Reviewed by Board Policy Committee: September 23, 2009

Amended: November 9, 2009

Amended: March 21, 2016

JGFB Supervision of Students

JGFB

1 Students shall be supervised by school personnel when they are under
2 the jurisdiction of the school. All school-sponsored activities shall be
3 supervised by an adult approved by the administration.

4 Each principal shall coordinate and assign appropriate staff to
5 supervise students engaged in school-sponsored activities. Each principal
6 shall ensure appropriate staff members are available for supervising students
7 at specific times and in designated areas. (See GAO)

Approved: July 1, 2001

Reviewed by Board Policy Committee: November 15, 2004

Reviewed by Board Policy Committee: April 9, 2008

Amended: March 21, 2016

JGFG Student Accidents

JGFG

1 When a district employee becomes aware that a student has been
2 involved in an accident at school, on district property or at a school-sponsored
3 program or event, the employee shall report the accident to the building
4 principal. If a student appears to require medical treatment, the employee
5 shall send for medical help, remain with the student, and provide reasonable
6 care and assistance while waiting for medical personnel to arrive.

7 When appropriate, the student's parent(s) shall be notified of the
8 injury as soon as possible to determine appropriate action. If the student needs
9 medical attention and the parents cannot be reached, the principal shall seek
10 emergency medical treatment.

11 Records

12 Appropriate records documenting student accidents shall be
13 maintained.

Approved: July 1, 2001

Reviewed by Board Policy Committee: November 29, 2005

Amended: February 14, 2005

Reviewed by Board Policy Committee: April 9, 2008

Amended: May 27, 2008

Amended: March 21, 2016