

To: Board of Education

From: Anna Stubblefield, assistant superintendent, educational support, ext. 1760  
David Cunningham, executive director, human resources & legal counsel, ext. 4937

Re: Board Policy Committee Recommendations

Date: September 22, 2016

Background:

The board's policy committee recommended several policies to the Board of Education for amendment at its September 12, 2016 board meeting. There have been no suggested changes to any of these policies.

Policies Recommended for Amendment:

**AEB School Year**

The committee is recommending a change to the title of this policy to more accurately reflect the school year may be adjusted as necessary to meet the needs of students. The existing policy does not reference the potential need to shorten a school year while meeting state requirements. The changes also reiterate that applicable laws, regulations and student codes apply in extended academic sessions.

**GAF Staff-student Relations**

The committee has modified this policy to clarify that any romantic interaction, whether it is of a sexual nature or not, is inappropriate and that a student cannot consent regardless of the student's age.

**GAOC Use of Tobacco Products**

This policy is being expanded to include nicotine delivery devices. The committee also recommended modifying the title to more accurately reflect the scope of the policy.

**IDAE Student Privacy Policy**

In order to ensure clarity, grammatical changes have been made to this policy.

**JBE Truancy**

The substance of this policy is unchanged. The new language is added to clarify that the required reporting should not violate the memorandum of understanding with various local agencies.

**JCDAA Tobacco Use**

This policy is being expanded to include nicotine delivery devices. The committee also recommended modifying the title to more accurately reflect the scope of the policy.

### **KG Building and Grounds**

The committee suggests modifying this policy to allow the superintendent to make recommendations to the board on fees and/or rental charges periodically rather than annually.

### **KO Naming Facilities**

The six month lead time for naming a new facility may or may not be necessary. The committee also suggests a committee may not be necessary. Therefore, the new language provides flexibility in how naming procedures are applied. It was also deemed appropriate to expand the application of this policy to school district property, not just buildings.

### **Recommendation:**

The Board Policy Committee received no suggested changes to its recommendations; therefore, the committee recommends adoption of the amendments effective September 26, 2016.

### **Motion:**

"I move the Board of Education approve the amendments to the referenced policies effective September 26, 2016."

1           Staff members shall maintain professional relationships with students  
2 that are conducive to an effective educational environment. Staff members  
3 shall not have any interaction of a romantic and/or sexual nature with any stu-  
4 dent at any time regardless of the student's age or consent.

Approved: July 1, 2001

Reviewed by Board Policy Committee: May 19, 2003

Reviewed by Board Policy Committee: August 29, 2005

Reviewed by Board Policy Committee: September 3, 2008

Amended: September 26, 2016

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Approved: July 1, 2001

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Amended: September 26, 2016

**GAOC Use of Tobacco Products and Nicotine Delivery Devices GAOC**

1           The use of tobacco products in any form, including any nicotine de-  
2 livery device, is prohibited on any district premises or at school sponsored ac-  
3 tivities, except in designated areas at non-student attendance centers. (See  
4 JCDA)

5           For the purposes of this policy, “nicotine delivery device” means any  
6 device that can be used to deliver nicotine to the person inhaling from the de-  
7 vice. Such definition shall include, but may not be limited to, any electronic  
8 cigarette, cigar, cigarillo, pipe, or personal vaporizer.

Approved: July 1, 2001

Reviewed by Board Policy Committee: June 24, 2003

Reviewed by Board Policy Committee: September 6, 2005

Reviewed by Board Policy Committee: September 17, 2008

Amended: October 28, 2013

Amended: September 26, 2016

**IDAE Student Privacy Policy**

**IDAE**

(See BCBK, BE, CN, CNA, ECA, ICA, II, JGGA, JR et seq. and KBA)

1           The superintendent, the board and staff shall protect the right of  
2 privacy of students and their families in connection with any surveys or physical  
3 examinations conducted, assisted, or authorized by the board or administration.  
4 The district shall annually provide parents notice of their rights under the  
5 Family Education Rights and Privacy Act, Protection of Pupil Rights  
6 Amendment and the Student Data Privacy Act, at the beginning of each school  
7 year, and at any other time the school district policies in the area are  
8 substantially changed.

9           Student Data Restrictions

10           Any student data submitted to and maintained by a statewide  
11 longitudinal student data system shall only be disclosed in accordance with the  
12 Student Data Privacy Act. Disclosure of all other student data or student record  
13 information maintained is governed by the Family Educational Rights and  
14 Privacy Act (“FERPA”).

15           Annual written notice presented to parents and legal guardians of  
16 district students shall: 1) be included in the district’s enrollment information;  
17 and 2) shall state student data submitted to and maintained by a statewide  
18 longitudinal data system only be disclosed as follows.

19           Student data may be disclosed to:

- 20           • The authorized personnel of an educational agency or the state  
21           board of regents who require disclosures to perform assigned  
22           duties; and
- 23           • The student and the parent or legal guardian of the student,  
24           provided the data pertains solely to the student.

- 1           • Student data may be disclosed to authorized personnel of any state  
2           agency, or to a service provider of a state agency, educational  
3           agency or school performing instruction, assessment, or  
4           longitudinal reporting, provided a data-sharing agreement between  
5           the educational agency and other state agency or service provider  
6           provides the following:
  - 7           ○ purpose, scope, and duration of the data-sharing agreement;
  - 8           ○ recipient of student data use such information solely for the  
9           purposes specified in agreement;
  - 10          ○ recipient shall comply with data access, use, and security  
11          restrictions specifically described in agreement; and
  - 12          ○ student data shall be destroyed when no longer necessary for  
13          purposes of the data-sharing agreement or upon expiration of the  
14          agreement, whichever occurs first.

15           \*A service provider engaged to perform a function of instruction  
16           may be allowed to retain student transcripts as required by  
17           applicable laws and rules and regulations. Destruction shall comply  
18           with the NISTSP800-88 standards of data destruction.

19           Unless an adult student or parent or guardian of a minor student  
20           provides written consent to disclose personally identifiable student data, student  
21           data may only be disclosed to a governmental entity not specified above or any  
22           public or private audit and evaluation or research organization if the data is  
23           aggregate data. “Aggregate data” means data collected or reported at the group,  
24           cohort, or institutional level and which contains no personally identifiable  
25           student data.

1 The district may disclose:

- 2 • Student directory information when necessary and the student’s
- 3 parent or legal guardian has not opted out of the release of such
- 4 information in writing;
- 5 • directory information to an enhancement vendor providing
- 6 photography services, class ring services, yearbook publishing
- 7 services, memorabilia services, or similar services;
- 8 • any information requiring disclosure pursuant to state statutes;
- 9 • student data pursuant to any lawful subpoena or court order
- 10 directing such disclosure; and
- 11 • student data to a public or private postsecondary educational
- 12 institution for purposes of application or admission of a student to
- 13 such postsecondary educational institution as provided on the
- 14 annual enrollment forms.

15 **Student Data Security Breach**

16 If there is a security breach or unauthorized disclosure of student data  
17 or personally identifiable information of any student submitted to or maintained  
18 on a statewide student longitudinal data system, each affected student or the  
19 parent or legal guardian of the student, if a minor, shall be immediately  
20 notified, and an investigation into the causes and consequences of the breach or  
21 unauthorized disclosure will be conducted.

22 **Biometric Data**

23 The district shall not collect biometric data from a student or use any  
24 device or mechanism to assess a student’s physiological or emotional state,  
25 unless the adult student or the parent or legal guardian of the minor student



1 consents in writing. “Biometric data” includes measurable biological or  
2 behavioral characteristics that can be used for automated recognition of an  
3 individual, such as fingerprints, retina and iris patterns, voiceprints, DNA  
4 sequence, facial characteristics, and handwriting.

5 Nothing in this policy shall prohibit the collection of audio voice  
6 recordings, facial expression information, and student handwriting for:

- 7 • provision of counseling or psychological services,
- 8 • conducting student threat assessments,
- 9 • completing student disciplinary investigations or hearings, or
- 10 • conducting child abuse investigations.

11 Select Student Surveys

12 No test, questionnaire, survey, or examination containing any questions  
13 about a student’s or the student’s parents’ or guardians’ personal beliefs or  
14 practices on issues such as sex, family life, morality, or religion shall be  
15 administered to any student unless:

- 16 A. the parent or guardian is notified in writing; and
- 17 A. the parent or guardian has not opted out as provided for in the  
18 Privacy of Pupil Rights Amendment.

19 Nothing shall prohibit school counselors from providing counseling  
20 services, including the administration of tests and forms as part of student  
21 counseling services. Any information obtained through such tests or counseling  
22 services shall not be stored on any personal mobile electronic device which is  
23 not owned by the school district. Storage of such information on personal  
24 laptops, tablets, phones, flash drives, external hard drives, or virtual servers not  
25 owned by the district is prohibited.

- 1 Students may be questioned:
- 2 • in the provision of psychological services,
  - 3 • conducting of student threat assessments,
  - 4 • completing student disciplinary investigations or hearings, or
  - 5 • conducting child abuse investigations.
- 6 Collection of such information in these limited circumstances is
- 7 permitted without prior written consent of the parent, guardian, or adult student.

Approved: December 8, 2003

Reviewed by Board Policy Committee: December 4, 2006

Amended: February 12, 2007

Reviewed by Board Policy Committee: March 11, 2010

Amended: December 8, 2014

Amended: September 26, 2016

**JBE Truancy (See JBD)**

**JBE**

1           In order to maximize opportunities for learning, students are expected to  
2 be in attendance at school every day and for all classes in which they are en-  
3 rolled. District and building administrators will aggressively enforce truancy  
4 statutes to ensure that students are in attendance at all times. Unless reporting  
5 would violate the terms of any memorandum of understanding between the dis-  
6 trict and the authority to which reports would be made, each school principal  
7 shall designate a person to report students who have unexcused absences that  
8 constitute a truancy to the appropriate authority.

9           Truancy is defined as any three consecutive unexcused absences, any  
10 five unexcused absences in a semester or seven unexcused absences in a school  
11 year, whichever occurs first. Students who are absent without excuse for one  
12 or more class period(s) at the secondary level or one or more hours at the ele-  
13 mentary level shall have that time counted as unexcused. The school year  
14 means the period from July 1 to June 30.

15           When a student becomes truant, the principal shall send a letter to the  
16 student's parent notifying him/her that the student's continued failure to at-  
17 tend school without a valid excuse shall result in the student being reported to  
18 the appropriate authority. This letter shall be sent before reporting the truancy  
19 to either the Department for Children and Families (DCF), if the student is  
20 less than 13 years of age, or the district attorney, if the student is 13 or more  
21 years of age but less than 18 years of age. However, if the district attorney  
22 and DCF have entered into an agreement, all truant students shall be reported  
23 to the district attorney.

24           Involvement of Law Enforcement

1 Law enforcement officers may return a truant child to the school where  
2 the child is enrolled, to the child's parent, or to another location designated  
3 by the board.

4 Reporting to Parents

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

7 Waiver of Compulsory Attendance Requirements

8 Students 16 or 17 years of age may be exempted from compulsory at-  
9 tendance regulations:

- 10 • if a parent attends the counseling session required by law and signs the  
11 appropriate consent and waiver form.
- 12 • if the student earns a GED.
- 13 • if the student is exempted from compulsory attendance requirements pur-  
14 suant to a court order.

15 Dual Enrollment Students (See IDCE)

16 Students who are enrolled in a dual enrollment program approved by the  
17 administration shall not be considered truant for the hours during the school  
18 day they attend classes at a Regent's university, Washburn University, com-  
19 munity college, technical college, vocational educational school or other ac-  
20 credited post-secondary institutions approved by the administration.

Approved: July 1, 2001

Amended: January 13, 2003

Reviewed by Board Policy Committee: September 20, 2004

Amended: October 25, 2004

Amended: January 9, 2006

Amended: November 13, 2006

Reviewed by Board Policy Committee: January 23, 2008

Amended: March 10, 2008

**JBE Truancy (See JBD)**

**JBE-3**

Amended: May 24, 2010

Amended: February 22, 2016

Amended: September 26, 2016

1 Use and/or possession of any tobacco product or nicotine delivery  
2 device by students is prohibited in any district facility; in school vehicles; at  
3 school-sponsored activities, programs, or events; and on school owned or op-  
4 erated property.

5 For tobacco-related offenses, the student shall be subject to  
6 disciplinary action up to and including suspension.

7 Smoking cessation and nicotine addiction information shall be  
8 available in school nurses' offices.

9 For the purposes of this policy, "nicotine delivery device" means  
10 any device that can be used to deliver nicotine to the person inhaling from the  
11 device. Such definition shall include, but may not be limited to, any electron-  
12 ic cigarette, cigar, cigarillo, pipe, or personal vaporizer.

Approved: July 1, 2001

Reviewed by Board Policy Committee: October 18, 2004

Reviewed by Board Policy Committee: February 27, 2008

Amended: April 14, 2008

Amended: May 10, 2010

Amended: December 9, 2013

Amended: September 26, 2016

**KG**     **Buildings and Grounds**

**KG**

1           The board encourages the use of school buildings and school grounds  
2 by community groups. Use of any school facility or school grounds, however,  
3 shall not interfere with the school’s daily routine or any school-sponsored ac-  
4 tivity. Requests for use of the district's buildings and grounds by individuals  
5 or outside organizations shall be submitted to the principal. Any request for  
6 use of the district's buildings or grounds shall be granted or denied pursuant  
7 to district administrative regulations for use of facilities. Any group using the  
8 district’s facilities shall comply with all regulations and procedures governing  
9 use of the facility.

10           The Facilities and Operations department shall be notified in writing of  
11 all school and non-school sponsored activities and uses taking place in dis-  
12 trict’s buildings or grounds to ensure the district events calendar is current.  
13 The daily academic use directly related to the requirements of the regular  
14 school program is exempt from this requirement.

15           Fees and Rental Charges

16           The superintendent shall recommend to the board for approval reasonable  
17 fees and/or rental charges that will cover all costs involved. The fee and/or  
18 rental charges shall be approved by the board and shall be reviewed periodi-  
19 cally. The schedule of fees and/or charges for use of any school facility shall  
20 be made available to interested community members upon request.

21           Lease Arrangements

22           Any lease arrangement shall have board approval.

Approved: July 1, 2001  
Reviewed by Board Policy Committee: February 22, 2005  
Reviewed by Board Policy Committee: October 31, 2007  
Amended: February 25, 2008  
Amended: April 12, 2010  
Amended: September 26, 2016

**KO**    **Naming of Facilities**

**KO**

1            Most district facilities such as attendance centers are given a name  
2 by the board of education. The board may establish a committee to  
3 research appropriate name options and to solicit public input and  
4 suggestions. A special effort may be made to involve district students in  
5 suggesting names. Any committee report will be presented to the board,  
6 and a decision will be made at a regular meeting of the board.

7            **Naming of Libraries, Auditoriums, and Specific Areas**

8            When interest develops in naming specific areas within a building  
9 or on school district property as an honor for individuals, the request  
10 must be presented to the board of education for consideration and  
11 approval. The board may establish a committee to assist in reviewing the  
12 request.

13            **Plaques or Signage**

14            Prior to plaques being ordered for placement in buildings, the  
15 director of communications must review them.

Approved: July 1, 2002

Reviewed by Board Policy Committee: February 22, 2005

Amended: April 11, 2005

Reviewed by Board Policy Committee: October 31, 2007

Amended: December 9, 2013

Amended: September 26, 2016