

To: Board of Education

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

Re: Board Policy Committee Recommendations

Date: September 8, 2016

Background:

The board's policy committee has met to discuss several policies that are being recommended to the board for amendment.

Policies Recommended for Amendment:

AEB School Year

The committee is recommending a change to the title of this policy to more accurately reflect that 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

The committee is recommending a change to the title of this policy and the policy itself to include nicotine delivery devices.

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

The committee is recommending a change to the title of this policy and the policy itself to include nicotine delivery devices.

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 recommends the review of the referenced policies. Once the review is complete and any suggested changes are considered, the committee will submit the final recommendations for amendment at the September 26, 2016 board meeting.

Motion:

"I move the Board of Education approve the review of the referenced policies for possible amendment and adoption at its September 26, 2016 board meeting."

1 Extended Prolonged or Shortened School Year

2 The board may ~~extend~~ *prolong or shorten* the regular academic year.

3 The superintendent shall be responsible for preparing a plan and presenting it
4 to the board, *as necessary*. The board may ~~extend~~ *prolong or shorten* the regu-
5 larly scheduled academic year because of the following circumstances includ-
6 ing, but not limited to: adverse weather conditions, building maintenance
7 problems, personnel problems, public health reasons, and budgetary problems.

8 ~~Regulations necessary to govern extended academic sessions shall be~~
9 ~~recommended by the superintendent for board approval. Truancy laws, sus-~~
10 ~~pension and expulsion policies and law, and all appropriate portions of the~~
11 ~~student behavior code shall apply during extended academic sessions. (See~~
12 ~~JBD, JBE, JDD and JCDA). Should the school year be shortened by board ac-~~
13 ~~tion, the board must take steps to ensure the school term provided includes at~~
14 ~~least the minimum number of days or hours required by Kansas law.~~

15 Extended Learning Opportunities for Students

16 The board may require ~~extended~~ *additional* learning opportunities for
17 students not meeting minimum academic *or behavioral requirements standards*
18 as defined by the board *or as outlined in board policy and/or handbook lan-*
19 *guage*. Students may be assigned to ~~extended~~ *additional* academic sessions ~~in-~~
20 ~~cluding, but not limited to taking place:~~

- 21 • before- or after-school;
- 22 • on Saturday ~~school~~; and/or
- 23 • during the summer ~~sessions~~.

24 Extended learning may utilize the Virtual School and the Diploma
25 Completion Center as well as other district facilities.

26 ~~Regulations necessary to govern extended learning opportunities shall~~

1 ~~be recommended by the superintendent for board approval.~~ *Truancy laws, sus-*
2 *pension and expulsion policies and law, and all appropriate portions of the*
3 *student behavior code shall apply during additional academic sessions.*

Approved: July 1, 2001

Reviewed by Policy Review Committee: November 25, 2002

Amended: January 13, 2003

Amended: March 10, 2003

Reviewed by Board Policy Committee: November 7, 2005

Amended: December 12, 2005

Reviewed by Board Policy Committee: November 19, 2008

Amended: September 26, 2016

GAF Staff-Student Relations
(See GAAC, JGECA, and KN)

GAF

1 Staff members shall maintain professional relationships with students
2 that are conducive to an effective educational environment. Staff members
3 shall not have ~~inappropriate~~ any interaction of a *romantic and/or* sexual na-
4 ture with any student at any time regardless of the student's age or ~~status~~ con-
5 sent. (~~See IKCA~~)

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

GAOC Use of Tobacco Products and Nicotine Delivery Devices

GAOC

1 The use of tobacco products in any form, including ~~electronic smoking~~
2 ~~devices~~ *any nicotine delivery device*, is prohibited on any district premises or
3 at school sponsored activities, except in designated areas at non-student at-
4 tendance centers. (See 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 ~~or~~ *and* maintained ~~in~~ *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 ~~or~~ *and* maintained ~~in~~ *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 ~~insure~~ ensure that students are in attendance at all times. *Unless*
5 *reporting would violate the terms of any memorandum of understanding be-*
6 *tween the district and the authority to which reports would be made, ~~Each~~*
7 *each* school principal shall designate a person to report students who have un-
8 excused absences that 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 ~~children~~ child* to the
2 school where the child is enrolled, to the child's parent, or to another location
3 designated 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

JCDAA Tobacco Use and Nicotine Delivery Devices (See GAOC) JCDAA

1 ~~Smoking by students~~ Use and/or the possession and use of any to-
2 bacco/nicotine product, ~~including electronic smoking devices,~~ or nicotine de-
3 livery device by students is prohibited in any district facility; in school vehi-
4 cles; at school-sponsored activities, programs, or events; and on school
5 owned or operated property ~~or at school-sponsored events.~~

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

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

10 For the purposes of this policy, "nicotine delivery device" means
11 any device that can be used to deliver nicotine to the person inhaling from the
12 device. Such definition shall include, but may not be limited to, any electron-
13 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 ~~at least~~
19 ~~once each year~~ *periodically*. The schedule of fees and/or charges for use of
20 any school facility shall be made available to interested community members
21 upon request ~~and shall be available at the Facilities and Operations office.~~

22 Lease Arrangements

23 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. ~~At least six months prior to the opening of a~~
3 ~~new building,~~ The board ~~will~~ *may* establish a committee to research
4 appropriate name options and to solicit public input and suggestions. A
5 special effort may be made to involve district students in suggesting
6 names. ~~This~~ Any committee ~~will~~ report *will be presented* to the board, and
7 a decision will be made at a regular meeting of the board.

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

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

14 **Plaques or Signage**

15 Prior to plaques being ordered for placement in buildings, the
16 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