

**Special Education  
Support Services  
2016-2017 School Year**

**ABSENCES**

Staff members are asked to let the Ms. Crawford know about planned absences in advance so any arrangements needed may be made. Personal days must have prior building administrator approval. For unplanned absences, please try to call the building administrator the night before or by 6:00a.m. that morning.

**BOARD POLICIES**

Board policies and procedures can be found on the school website [www.pcassd.k12.mo.us](http://www.pcassd.k12.mo.us).

**COPYRIGHTED MATERIAL (Board Policy P 6243)**

It is the intent of the board to delineate, enforce and abide by the provisions of current copyright laws as they affect the school district and its employees. Copyrighted materials, whether printed or not, will not be duplicated unless such reproduction meets "fair use" standards, or unless written permission from the copyright holder has been obtained. The board does not sanction illegal duplication in any form. Employees who willfully disregard the district's copyright position are in violation of board policy. They do so at their own risk and assume all responsibility.

**EMERGENCY DRILLS (Board Policy R 5240)**

All emergency procedures should be posted in the ECSE room and Diagnostic Center.

Fire Alarm - Staff should lead their students from the building when the fire alarm sounds. Once there, staff should take roll (Diagnostic Center take testing schedule) and keep their students together pending further instructions. Should a child be missing, do not re-enter the building. Notify office personnel, located outside in the front.

Tornado - Be familiar with the instructions posted in the room.

Earthquake - Immediately take cover under anything that will provide some measure of protection from falling objects. Immediately after the crisis, calmly evacuate the building, following the procedure for a fire drill. If people are hurt and/or trapped in the room, the first order of business is to get everyone else to safety, then notify the administrator that people are hurt or trapped and their location. Keep your students together pending further instructions. Stay away from power lines, poles, trees, and buildings. Utilities should be shut off, and no one should re-enter the building unless it has been declared safe.

Hostage Situation - If a hostage crisis occurs in your room, try to communicate calmly with the

perpetrator. Try to get the person to let you relay his demands to the office, thereby alerting the office to the situation.

If a hostage situation occurs at another location in your building, your responsibility is for the safety of your students. Follow the directions of the administrator. Until such directions are given, lock your classroom door and gather the students against the wall nearest the hallway to make the room appear empty.

Bomb Threat - In the event of a bomb threat, notify the office immediately. If the building needs to be evacuated, follow the fire evacuation plan.

The district has developed a comprehensive emergency plan that all staff will be trained on and expected to follow.

### **STUDENT SUPERVISION (Board Policy P 4630)**

Students must not be left unsupervised. If a student has a seizure, or injures himself or another child, it is difficult to prove reasonable care if there was not an adult present.

### **DIRECTORY INFORMATION (Board Policy R 2400)**

According to federal law, parent and students are notified that "Directory Information" will be released as deemed necessary by school officials. The following items are Directory Information: student's name, parent's name, address, telephone number, date, and place of birth, major field of study, participation in officially recognized activities, and sports, height, and weight of members of athletic teams, dates of attendance, degrees and awards received, most recent previous school attended and photograph. Parents or eligible students will have ten (10) school days after the annual public notice to view the student's directory information and to provide written notice to the school that they choose to not have this information released. Unless prior written notice is received, the school district may disclose any of those items designated as directory information without prior written consent.

### **INJURIES/SAFETY PRECAUTIONS**

An injury treatment log is kept in Nurse's Office to record minor cuts and scrapes which are to be expected from time to time in any student's daily participation in a public school program. More serious injuries require the notification of the building administrator. The incident is recorded on an Accident/Injury Report Form, the family notified, and any necessary treatment provided.

Any bite should be washed thoroughly with soap and water, even if the skin is not broken.

The door to the custodian's closet is to be kept closed and locked. Cleaning supplies are to be stored safely.

To help prevent injuries from doors and promote orderly movement in the halls, when possible, students are to enter double doors on the right and are to walk on the right side of the hall.

A staff member may be injured by a student sometime during his/her career. Children who are low

functioning and non-verbal may hit or bite when frustrated. Any significant injury should be reported to the office in case medical attention is necessary. In addition, an Accident/Injury Report must be completed and turned in to the office for proper documentation. Staff members are expected to maintain their own tetanus immunizations as recommended by the Department of Health. Immunizations for Hepatitis B are strongly recommended for all staff. The immunizations are provided free of charge through the local Health Department.

If a student (or other person) is a known Hepatitis carrier or has some other chronic, contagious disease, care should be taken that the student does not share food, eating utensils, etc., with others. Dishes or utensils are to be washed in a 1: 10 bleach water solution. Keep in mind that the name of any such student will be made known only to those who need to know and that such knowledge is confidential information. (See Pemiscot County Special District Board Policy and Procedures on Hepatitis B and Contagious Disease Policies.)

A student or staff member with a fever blister (herpes simplex) should wash hands thoroughly before using the bathroom and after touch the area, and should not share pencils, utensils, etc.

Staff should instruct students to keep their mouths from touching the drinking fountains.

It is recommended that staff members should report any potential for a life threatening situation. It is also recommended that standing orders for medications to be administered in the event of an emergency are submitted at the beginning of each school year. The staff member is responsible for providing the written orders and the medication. The emergency medication and orders shall be kept in a secure location, but easily accessible to qualified, designated personnel.

Disposable gloves are to be kept in classrooms, on buses, and in other convenient places. Gloves are to be worn when dealing with blood, feces, vomitus, or other body fluids. **DO NOT HANDLE BLOOD WITHOUT GLOVES.** Always wash hands thoroughly with soap and water, whether or not gloves are worn.

Blood, urine, feces, and vomitus are to be cleaned from a surface with a 1: 10 bleach solution or a liquid Lysol solution. (Lysol spray is not effective.)

Scratches and wounds that are bleeding must be covered with a band aid or bandage.

Parents must complete and sign a notarized consent-to-treat statement so that medical treatment can be obtained in case of emergency and the parent cannot be reached. The consent forms are kept in the office.

### **ILLNESS AND INJURY RESPONSE AND PREVENTION (Board Policy R 5230)**

District personnel will provide appropriate first aid and emergency treatment, and contact emergency medical services (EMS) when appropriate, for any individual who is injured or becomes ill while on district property, on district transportation or at a district activity. Further medical attention, including the cost of services provided by EMS, is the responsibility of the individual unless otherwise required by law. In accordance with law, any qualified employee will be held harmless and immune from civil liability for administering medications, cardiopulmonary resuscitation (CPR) or other lifesaving methods in good faith

and according to standard medical practice. A qualified employee is one who has been trained to administer medication or medical services according to standard medical practice. Procedures for handling emergencies will be established and distributed in each school building.

### **Training**

The superintendent or designee, in consultation with the school nurse, is authorized to implement a program to train students and employees in CPR(training will be provided to all staff) and other lifesaving methods. If CPR instruction is provided to students in grades 9B12, instruction will be based on a program established by the American Heart Association, the American Red Cross or a similar nationally recognized program and will be delivered as required by law.

### **Incident Reports**

Employees must report all work-related injuries and illnesses to their supervisor immediately and will be required to provide the details of the injury or illness in writing. Staff who witness any injury or observe the onset of a serious illness on district property, on district transportation or at a district activity will prepare a written incident report on the incident report form available in each building. A copy of the incident report form will be filed with the appropriate designee as soon after witnessing the event as possible.

The superintendent is charged with providing the Board periodic statistical reports on the number and types of injuries occurring on district property or at district activities as well as information on individual accidents or injuries when Board action on the matter is required.

### **Protective Equipment**

The superintendent or designee will continuously review job descriptions and district activities to improve safety in the district. The district will provide protective equipment when it is required by law or when it is determined by the superintendent or designee to be necessary to maintain district safety standards. In accordance with law, students, staff and visitors must wear eye protective devices in vocational, technical and industrial arts courses and laboratories involving chemicals, welding, construction, vehicle repair or other activities as designated by the district. When protective equipment is provided, all persons are required to use the equipment as directed. Failure to do so will result in disciplinary action including removal from school property or the activity requiring protective gear.

## **STUDENT MEDICATION (Board Policy R 2870)**

The medication administration is established in accordance with Missouri Safe Schools Act. Refer to the Medication Administration in Missouri Schools Guidelines for Training School Personnel. Students do not administer their own medications at school. If there is a student that requires medication the OVLC Nurse must be informed and proper information obtained prior to the day of testing. Medication is kept in a locked storage space and dispensed by the Oak View Learning Center School Nurse unless other arrangements have been made. If the school nurse is absent, the designee is responsible for dispensing student medication that day. A medication log/chart of medication name, dosage, time, and initials of person giving it is kept on each student. Medication Administration Authorization from parent and doctor are required for any medication administered during the school day. This shall be obtained from their home school district prior to testing date.

## **STUDENT ALLERGY PREVENTION AND RESPONSE (Board Policy R 2875)**

The purpose of this policy is to create an organized system for preventing and responding to allergic reactions. This policy is not a guarantee of an allergen-free environment; instead, it is designed to increase awareness, provide education and training, reduce the chance of exposure and outline responses to allergic reactions. The best form of prevention for life-threatening allergies is avoidance of the allergen. Research shows that allergies can negatively impact student achievement by affecting concentration, auditory

processing and attendance. Further, healthy students are better learners. In addition to posing health risks, allergies can be potentially deadly for some individuals. This policy applies to district facilities to which students have access and includes transportation provided by the district. The Board instructs the superintendent or designee to develop procedures to implement this policy.

### **Identification**

Each school will attempt to identify students with life-threatening allergies, including food allergies. An allergic reaction is an immune system response to a substance that itself is not harmful but that the body interprets as being harmful. Allergic reactions can range from mild to severe and can even be life threatening. At enrollment, the person enrolling the student will be asked to provide information on any allergies the student may have.

### **Students with Known Allergies**

Students with allergies that rise to the level of a disability as defined by law will be accommodated in accordance with district policies and procedures pertaining to the identification and accommodation of students with disabilities. An individualized health plan (IHP), including an emergency action plan (EAP), may be developed for students with allergies that do not rise to the level of a disability.

All staff members are required to follow any Section 504 plan or IHP/EAP developed for a student by the district. Staff members who do not follow an existing Section 504 plan or IHP/EAP will be disciplined, and such discipline may include termination.

### **Prevention**

Staff members shall not use air fresheners, oils, candles or other such items intended to add fragrance in any district facilities. This provision will not be construed to prohibit the use of personal care items that contain added fragrance, but the principal may require staff members to refrain from the use of personal care items with added fragrance under particular circumstances.

Staff members are prohibited from using cleaning materials, disinfectants, pesticides or other chemicals except those provided by the district.

The district will not serve any processed foods, including foods sold in vending machines, that are not labeled with a complete list of ingredients. Vended items must include a list of ingredients on the individual package.

The food service director will create an ingredient list for all foods provided by the district as part of the District's nutrition program, including food provided during the school day and in before- and after-school programs. This list will be available upon request.

Prepackaged items used in concessions, fundraisers and classroom activities must include a list of ingredients on the package. If the package does not contain a list of ingredients, the list of ingredients must be available at the location where the package is sold or provided.

### **Education and Training**

All staff members will be regularly trained on the causes and symptoms of and responses to allergic reactions. Training will include instruction on the use of prefilled epinephrine auto syringes and the administration of asthma related rescue medications.

In accordance with law, qualified employees will be held harmless and immune from civil liability for administering epinephrine or asthma-related rescue medications in good faith and according to standard medical practices. A qualified employee is one who has been trained to administer medication, including epinephrine, in accordance with standard medical practice.

Age-appropriate education on allergies and allergic reactions will be provided to students as such education aligns with state Grade-Level Expectations (GLEs) for health education. Education will include potential causes, signs and symptoms of allergic reactions; information on avoiding allergens; and simple steps students can take to keep classmates safe.

### **Confidentiality**

Information about individual students with allergies will be provided to all staff members and others who need to know the information to provide a safe learning environment for the student. Information about individual students with allergies will not be shared with students and others who do not have a legitimate educational interest in the information unless authorized by the parent/guardian or as otherwise permitted by law, including the Family Educational Rights and Privacy Act (FERPA).

### **Response**

Response to an allergic reaction shall be in accordance with established procedures, including application of the student's Section 504 plan or IHP/EAP. Information about known allergies will be shared in accordance with FERPA. Each building will maintain an adequate supply of prefilled epinephrine auto syringes and asthma-related rescue medications to be administered in accordance with Board policy.

## **DISTRICT WELLNESS PROGRAM (Board Policy R 2570)**

The Board recognizes the relationship between student well-being and student achievement as well as the importance of a comprehensive district wellness program. Therefore, the district will provide developmentally appropriate and sequential nutrition and physical education as well as opportunities for physical activity. The wellness program will be implemented in a multidisciplinary fashion and will be evidence based.

### **Wellness Committee**

The district will establish a wellness committee that consists of at least one: parent, student, nurse or other school health professional, physical education teacher, school food service representative, Board member, school administrator, member of the public, and other community members as appropriate. If available, a qualified, credentialed nutrition professional will be a member of the wellness committee.

### **Wellness Program Coordinators**

The Board designates the following individual(s) as wellness program coordinator(s): Oak View Learning Center Principal. Only employees of the district who are members of the wellness committee may serve as wellness program coordinators. Wellness coordinators, in consultation with the wellness committee, will be in charge of implementation and evaluation of this policy. Meetings, records and votes of the wellness committee will adhere to the requirements of the Missouri Sunshine Law.

Wellness program coordinators are responsible for ensuring that each school in the district is in compliance with this policy.

### **Nutrition Guidelines**

It is the policy of the Pemiscot Co. Spec. School Dist. that all foods and beverages made available on campus during the school day are consistent with the Missouri Eat Smart nutrition guidelines. Guidelines for reimbursable school meals will not be less restrictive than regulations and guidance issued by the Secretary of Agriculture pursuant to law. The district will create procedures that address all foods available to students throughout the school day in the following areas:

National School Lunch Program and School Breakfast Program meals  
À la carte offerings in the food service program  
Vending machines and school stores  
Classroom parties, celebrations, fundraisers, rewards and school events  
Snacks served in after-school programs

### **Nutrition Promotion and Education**

The district will provide nutrition education aligned with the Show-Me Standards and Missouri's Frameworks for Curriculum Development in Health/Physical Education in all grades. In addition, the district will disseminate nutrition messages and other nutrition-related materials received from the U.S. Department of Agriculture (USDA) to students, staff and the community through a variety of media and methods. The wellness program coordinators, in consultation with the wellness committee, will develop procedures that address nutrition education and promotion.

### **Physical Activity and Education**

The district will provide physical education and opportunities for physical activity in accordance with state requirements and aligned with the Show-Me Standards and Missouri's Frameworks for Curriculum Development in Health/Physical Education in all grades. The wellness program coordinators, in consultation with the wellness committee, will develop procedures that address physical education and physical activity.

### **Other School-Based Activities**

The wellness program coordinators, in consultation with the wellness committee, are charged with developing procedures addressing other school-based activities to promote wellness.

### **Evaluation**

The wellness committee will assess all education curricula and materials pertaining to wellness for accuracy, completeness, balance and consistency with the state's and district's educational goals and standards.

Wellness program coordinators shall be responsible for devising a plan for implementation and evaluation of the district wellness policy and are charged with operational responsibility for ensuring that schools meet the goals of the district wellness policy. Wellness program coordinators will report to the Board annually regarding the content and implementation of the wellness program and make recommendations for modifications to this policy as appropriate. The report will be made available to the public on the district's website or by other appropriate means.

### **MONEY**

State law mandates that any money collected in any way through school activities be under the control of the local Board of Education. All purchases, whether through activities or budgeted funds, shall have a written and signed requisition form.

### **KEYS**

Staff will be supplied with keys to their rooms and storage areas as needed. Master keys will only be supplied to personnel in regular need of such keys. All keys will be accounted for and turned in at the end of the school year.

### **CONFIDENTIALITY (Board Policy P 2400)**

Confidentiality is a legal right of students and parents. Private, personally identifiable information about a student may not be shared with anyone except those who have a right and/or need to know. Those who have a right to know about students are their parents or guardians, the student at age 18, certain Special School District personnel, those persons or agencies listed on the access sheets and those persons or agencies for whom the parent, guardian, or eligible student (age 18) has a signed release of information

**REPORTING AND INVESTIGATING CHILD ABUSE/NEGLECT (Board Policy P 2710)  
(Child Abuse Hotline 1-800-392-3738)**

The Pemiscot Co. Spec. School Dist. and its employees will take action to protect students and other children from harm including, but not limited to, abuse and neglect, and will respond immediately when discovering evidence of harm to a child. Employees must cooperate fully with investigations of child abuse and neglect. The district prohibits discrimination, negative job action or retaliation against any district employee who in good faith reports alleged child abuse or neglect, including alleged misconduct by another district employee. Employees failing to follow the directives of this policy or state or federal law will be subject to discipline including, but not limited to, termination, and may be subject to criminal prosecution.

**Public School District Liaison**

The superintendent shall designate a specific person or persons to serve as the public school district liaison(s) and forward that information to the local division office of the Children's Division (CD) of the Department of Social Services. The liaison(s) shall develop protocols in conjunction with the chief investigator of the local division office to ensure information regarding the status of a child abuse or neglect investigation is shared with appropriate school personnel.

The liaison(s) will also serve on multidisciplinary teams used in providing protective or preventive social services along with law enforcement, the juvenile officer, the juvenile court and other agencies, both public and private.

It will be the responsibility of the liaison(s) to arrange for training and information necessary to assist staff members in identifying possible instances of child abuse and neglect, including annual updates regarding any changes in the law. Additionally, the liaison is charged with implementing a planned program of personal safety and awareness education, including methods for preventing sexual abuse, that shall be provided to teachers, students and parents/guardians.

**Reporting Child Abuse/Neglect**

The Board of Education requires its staff members to comply with the state child abuse and neglect laws and the mandatory reporting of suspected neglect and/or abuse. Any school official or employee acting in his or her official capacity who knows or has reasonable cause to suspect that a child has been subjected to abuse or neglect, or who observes the child being subjected to conditions or circumstances that would reasonably result in abuse or neglect, will immediately make a report to the school principal or designee, including any report of excessive absences that may indicate educational neglect. The school principal or designee will then become responsible for making a report via the Child Abuse and Neglect Hotline to the CD, as required by law. This policy does not preclude any employee from directly reporting abuse or neglect to the CD; however, the school official or employee must notify the school principal or designee immediately after making a report. The school principal or designee will inform the superintendent or designee and the liaison(s) that a report has been made and will keep them aware of the status of the case. The school principal or designee may also notify law enforcement or the juvenile office when appropriate. If the school principal or designee has reason to believe that a victim of such abuse or neglect is a resident of another state or was injured as a result of an act that occurred in another state, then, in addition to notifying the Missouri CD pursuant to this policy, he or she may also make a report to the child protection agency with the authority to receive such reports, pursuant to law, in the other state.

In accordance with law, if a student reports alleged sexual misconduct on the part of a school district employee to an employee of this district, the employee who receives the report and the superintendent shall forward the allegation to the CD within 24 hours of receiving the information. For the purposes of this policy, the term "sexual misconduct" is defined as engaging in any conduct with a student, on or off district property, that constitutes the crime of sexual misconduct; illegal sexual harassment as defined in policy AC, as determined by the district; or child abuse involving sexual behavior, as determined by the CD.



### **Investigating Child Abuse/Neglect**

Except in situations involving sexual misconduct, when the CD receives a child abuse report alleging that an employee of the district has abused a student, the report shall be immediately referred to the superintendent (or the president of the School Board in situations concerning the superintendent), who will conduct an initial investigation. If the initial investigation determines that the report relates to a spanking by a certificated district employee or the use of reasonable physical force against a student for the protection of persons or property by any district personnel administered pursuant to district policy, or if it is determined that the sole purpose of the report is to harass a district employee, the report will be investigated as detailed below in accordance with law. All other reports of any nature will be immediately returned to the CD for investigation.

### **Harassment, Spanking or Protection of Persons or Property**

If a report to the CD relates to a spanking by a certificated district employee or the use of reasonable physical force against a student for the protection of persons or property by any district personnel administered pursuant to district policy, or if it is determined that the sole purpose of the report is to harass a district employee, the superintendent, Board president or a designee of either will notify law enforcement of the county in which the alleged incident occurred. The district will jointly investigate the matter with the law enforcement officer. The superintendent, Board president and their designees are authorized to contact and utilize the district's attorney to assist in the investigation.

Once the investigation is concluded, the law enforcement officer and the investigating district personnel will issue separate reports of their findings, no later than seven days after the district receives notice of the allegation from the CD. The reports must contain a statement of conclusion as to whether the preponderance of evidence supports a finding that the alleged incident of child abuse is substantiated or unsubstantiated. The Board will consider the separate reports and will issue its findings and conclusions, if any, within seven days after receiving the last of the two reports. The findings and conclusions will be made as required by state law and will be sent to the CD.

### **Sexual Misconduct Involving an Employee**

The district takes all allegations of sexual misconduct seriously, regardless of the source. When an allegation is made, district employees will immediately take appropriate action to protect students and other children, which will include reporting to the CD in accordance with Board policy and notifying the superintendent. The superintendent or designee will contact law enforcement and begin an investigation.

In accordance with law, if a student reports alleged sexual misconduct on the part of a teacher or other employee of a school district to a district employee, the employee who receives the report shall notify the superintendent immediately and forward the allegation to the CD within 24 hours of receiving the information. The superintendent will also forward the allegation to the CD within 24 hours of receiving the report. The CD will investigate all allegations of sexual misconduct involving district employees.

### **Referral to the Office of Child Advocate for Children's Protection and Services**

If the CD determines that a report of child abuse or neglect is unsubstantiated, the district or a district employee may request that the report be referred to the Office of Child Advocate for Children's Protection and Services for additional review.

### **Information from the Children's Division**

In accordance with law, as mandated reporters district employees reporting child abuse and neglect are entitled upon request to information on the general disposition of a report of child abuse or neglect and may receive findings and information concerning the case at the discretion of the CD. The CD will also notify the district when a student is under judicial custody or when a case is active regarding a student.

Any information received from the CD will be kept strictly confidential in accordance with law and will only be shared with district employees who need to know the information to appropriately supervise the student or for intervention and counseling purposes. All written information received by any public school district

liaison or the district shall be subject to the provisions of the Family Educational Rights and Privacy Act (FERPA). Information received from the CD will not be included in the student's permanent record.

### **Immunity**

In accordance with law, any person who in good faith reports child abuse or neglect; cooperates with the CD or any law enforcement agency, juvenile office, court, or child-protective service agency of this or any other state in reporting or investigating child abuse or neglect; or participates in any judicial proceeding resulting from the report will be immune from civil or criminal liability.

Any person who is not an employee of the district and who in good faith reports to a district employee a case of alleged child abuse by any district employee will be immune from civil or criminal liability for making such a report or for participating in any judicial proceedings resulting from the report.

### **CHAIN OF COMMAND (Board Policy R 4850)**

All staff members are expected to follow the chain of command when reporting a problem. Staff should report problems to the administrator. If they cannot solve the issue, then the superintendent should be consulted. If no agreement can be reached, then the problem should be brought before the Board of Education. Further explanation of the chain of command is available in the Board Policies.

### **DRESS (Board Policy P 4630)**

Staff members are expected to present a professional appearance in dress and grooming. Dress comfortably but neatly and appropriately. Personal appearance also reflects the importance of one's job and is part of the image of the school conveyed to persons visiting the facility.

Because of the nature of activities that staff may have to engage in with students, short shorts/skirts, tight clothing, spaghetti straps, and revealing necklines are not appropriate for school. Use common sense about wearing necklaces or dangling earrings around students, especially younger children who may reach for them.

### **MEALS**

Staff members have a 30-minute lunch period. A microwave and refrigerator are available for staff use.

Each staff member is responsible for clearing and cleaning her dishes, etc., from the lunch area.

### **TECHNOLOGY (Board Policy R 6320 & P 6320)**

Please be sure to review and follow the district guidelines for technology. No student is allowed to use the staff computer as it contains private information. Please be safe and lock your workstation before leaving your computer. Do not bring in your personal laptops. If you are issued school district iPads and/or cell phones, please make sure they are kept in a secure location at the end of your workday.

### **SMOKING (Board Policy R 1420)**

Pemiscot County Special School District is a smoke-free environment. No smoking is permitted on campus. Designated smoking areas are located off campus.

### **TELEPHONE/VISITORS (Board Policy P 4873)**

Personal calls should be made and/or taken at break or lunch time when possible. Any personal long distance call must be made collect or charged to one's calling card. Please inform your families to expect to leave a message unless it is urgent. If you are expecting an important personal call or a return call about school matters, inform the secretary of the need to send for you.

Record any long distance numbers called. Personal calls should be kept as brief as possible.

Families are welcome to arrange a short visit to see staff members' work areas. However, frequent visits may interfere with staff responsibilities. Staff should not bring children on work days unless arranged with building administrator. Visitors are expected to comply with campus rules.

Cell phones should not be used in front of students. Persons using a cell phone for texting or calling during student supervision times will be subject to disciplinary action by the building administrator.

### **STAFF COMPLAINTS AND GRIEVANCES (Board Policy R 4850)**

It is the intent of the Board of Education to address staff complaints and grievances at the earliest possible time and at the lowest level of supervision. Therefore the Board directs the superintendent or designee to create a procedure detailing how employees may bring complaints and receive responses to their complaints. If a complaint has been made to the employee's immediate supervisor, building-level supervisor, and the superintendent or their designee and the employee has received responses from these persons, the employee may appeal to the Board of Education.

The employee must submit a written request for an appeal within five (5) workdays after receiving a decision from the superintendent. The decision of the Board will be final.

Complaint processing should be viewed as a positive and constructive effort to establish the facts upon which the complaint is based and come to a fair conclusion. Employees will not be discriminated against nor will reprisal be attempted against an employee because a complaint was filed.

#### **I. Definition**

*Complaint and/or Grievance* -- An employee's assertion that he or she is adversely affected by a violation, misinterpretation or misapplication of a published district policy, procedure or regulation, or of an employee handbook, employee contract or existing law. Complaints relating to discrimination or harassment will be resolved in accordance with policy AC.

#### **II. Exclusions**

This regulation shall not apply to complaints for which state law establishes a procedure for obtaining a Board hearing. In addition, complaints about non-renewal of a probationary teacher's contract, or about any other official Board action, shall be directed to the Board; and a hearing on the same, unless required by state law, shall be discretionary with the Board. Complaints concerning evaluations, except those which lead to a loss of pay, will be excluded.

## **DISCRIMINATION AND HARASSMENT (Board Policies R 1310 & P 1310)**

The Pemiscot Co. Spec. School Dist. Board of Education is committed to maintaining a workplace and educational environment that is free from illegal discrimination or harassment in admission or access to, or treatment or employment in, its programs, activities and facilities. Discrimination or harassment against employees, students or others on the basis of race, color, religion, sex, national origin, ancestry, disability, age or any other characteristic protected by law is strictly prohibited in accordance with law. The Pemiscot Co. Spec. School Dist. is an equal opportunity employer.

Students, employees and others will not be disciplined for speech in circumstances where it is protected by law. The Board also prohibits:

1. Retaliatory actions based on making complaints of prohibited discrimination or harassment or based on participation in an investigation, formal proceeding or informal resolution concerning prohibited discrimination or harassment.
2. Aiding, abetting, inciting, compelling or coercing discrimination or harassment.
3. Discrimination or harassment against any person because of such person's association with a person protected from discrimination or harassment due to one (1) or more of the above-stated characteristics.

All employees, students and visitors must immediately report to the district for investigation any incident or behavior that could constitute illegal discrimination or harassment.

### **Additional Prohibited Behavior**

Behavior that is not unlawful or does not rise to the level of illegal discrimination or harassment might still be unacceptable for the workplace or the educational environment. Demeaning or otherwise harmful actions are prohibited, particularly if directed at personal characteristics including, but not limited to, socioeconomic level, sexual orientation or perceived sexual orientation.

### **Consequences**

Employees who violate this policy will be disciplined, up to and including employment termination. Students who violate this policy will be disciplined, which may include suspension or expulsion. Patrons, contractors, visitors or others who violate this policy may be prohibited from school grounds or otherwise restricted while on school grounds. The superintendent or designee will contact law enforcement or seek a court order to enforce this policy when necessary or when actions may constitute criminal behavior.

In accordance with law and district policy, any person suspected of abusing or neglecting a child will be reported to the Children's Division (CD) of the Department of Social Services.

### **Definitions**

*Discrimination* B Conferring, refusing or denying benefits or providing differential treatment to a person or class of persons in violation of law based on race, color, religion, sex, national origin, ancestry, disability, age or any other characteristic protected by law, or based on a belief that such a characteristic exists.

*Harassment* B A form of discrimination, as defined above, that occurs when the school or work environment becomes permeated with intimidation, ridicule or insult that is sufficiently severe or pervasive enough that it unreasonably alters the employment or educational environment. Behaviors that could constitute illegal harassment include, but are not limited to, the following acts if based on race, color, religion, sex, national origin, ancestry, disability, age or any other characteristic protected by law or a belief that such a characteristic exists: graffiti; display of written material or pictures; name calling; slurs; jokes; gestures; threatening, intimidating or hostile acts; theft; or damage to property.

*Sexual Harassment* B A form of discrimination, as defined above, on the basis of sex. Sexual harassment is unwelcome conduct that occurs when a) benefits or decisions are implicitly or explicitly conditioned upon submission to, or punishment is applied for refusing to comply with, unwelcome sexual advances, requests for sexual favors or conduct of a sexual nature; or b) the school or work environment becomes permeated with intimidation, ridicule or insult that is based on sex or is sexual in nature and that is sufficiently severe or pervasive enough to alter the conditions of participation in the districts programs and activities or the conditions of employment. Sexual harassment may occur between members of the same or opposite sex. The district presumes a student cannot consent to behavior of a sexual nature with an adult regardless of the circumstance.

Behaviors that could constitute sexual harassment include, but are not limited to:

1. Sexual advances and requests or pressure of any kind for sexual favors, activities or contact.
2. Conditioning grades, promotions, rewards or privileges on submission to sexual favors, activities or contact.
3. Punishing or reprimanding persons who refuse to comply with sexual requests, activities or contact.
4. Graffiti, name calling, slurs, jokes, gestures or communications of a sexual nature or based on sex.
5. Physical contact or touching of a sexual nature, including touching of intimate parts and sexually motivated or inappropriate patting, pinching or rubbing.

*Grievance* B A verbal or written report (also known as a complaint) of discrimination or harassment made to the compliance officer.

### **Compliance Officer**

The Board designates the following individual to act as the district's compliance officer:

Superintendent

1317 West State Highway 84 Hayti, MO 63851

573-359-0021

The Section 504 Coordinator and Title IX Coordinator is the above listed Compliance Officer.

## **FAMILY MEDICAL LEAVE ACT (Board Policy R 4321 & P 4321)**

The district will administer leave that qualifies for Family and Medical Leave Act (FMLA) protection in accordance with federal law. For employees who are not eligible for FMLA leave, including employees who have exhausted available FMLA-protected leave, requests for leave shall proceed according to the district's established policies. The FMLA Compliance Officer is the Superintendent, PCSSD, 1317 West State Highway 84, Hayti, MO 63851, 573-359-0021.

## **EMPLOYEE ALCOHOL AND DRUG TESTING (Board Policy P 4870)**

*(District Provides Transportation Services)*  
Provisions Applicable to All Employees

### **Alcohol and Drug Prohibitions**

No employee may manufacture, use, possess, sell, distribute or be under the influence of alcohol or drugs in violation of the district's Drug-Free Workplace policy. All employees may be tested for alcohol and drugs if the district has reasonable suspicion that the employee has consumed alcohol or drugs in violation of Board policy.

### **Program Coordinator**

The Safety Coordinator/School Nurse will serve as the program coordinator to implement the alcohol and drug testing program of the district within the guidelines of this policy.

### **Training**

All staff who have supervisory duties over other staff members will be provided training on the effects of drug and alcohol use. The training will include physical, behavioral, speech and performance indicators of drug and alcohol use.

Supervisors of employees who operate district transportation will be trained in accordance with federal law.

### **Testing Program**

The district will use testing facilities with appropriately trained personnel for alcohol and drug testing. The district's drug and alcohol testing program shall provide individual privacy in the collection of specimen samples to the maximum extent possible. The specimen collection procedures and chain of custody shall ensure that specimen security, proper identification and integrity are not compromised.

### **Refusal to Submit to Tests**

Drug or alcohol tests administered pursuant to this policy are mandatory. An employee refuses to submit when he or she fails to provide adequate breath or urine for testing when notified of the need to do so or engages in conduct that clearly obstructs the testing process.

### **Consequences**

Employees who refuse to submit to a test, who test positive for prohibited substances or who take deliberate action with the intent to falsify test results will be subject to discipline, including termination, in accordance with Board policy and law.

### **Treatment**

In addition to any disciplinary action taken, the district will provide employees a list containing the names, addresses and telephone numbers of substance abuse professionals and counseling and treatment programs when employees have a positive drug or alcohol test, refuse to take a test or otherwise request information about substance abuse treatment.

### **District Records and Reports**

Alcohol and drug test results and records shall be maintained under strict confidentiality and released

only in accordance with law. Upon written request, an employee shall receive copies of any records pertaining to his or her use of alcohol or drugs, including any records pertaining to his or her tests. Test records shall be maintained with the separate medical files of each employee. The district shall maintain records and reports of its alcohol and drug prevention program as required by law.

### **Notification to Employees**

The program coordinator shall ensure that all employees receive written materials explaining the district's drug and alcohol misuse prevention program, including copies of or access to applicable policies, procedures or handbooks.

Employees shall sign statements certifying that they have received the materials.

### **Provisions Applicable to Drivers**

In addition to the drug testing provisions applicable to all employees, the Pemiscot County Special School District, which employs operators of commercial motor vehicles ("drivers"), is required to implement a drug and alcohol testing program that fulfills federal requirements. The district will use laboratories certified by the U.S. Department of Health and Human Services to conduct drug specimen analysis. This comprehensive program shall include conducting pre-employment drug testing and reasonable suspicion, random and post-accident testing for use of alcohol or drugs by drivers; notifying drivers of the requirements and consequences of the program; maintaining appropriate records; and complying with Missouri Department of Revenue's reporting requirements.

As required by law, no driver shall report for duty within four (4) hours of using alcohol. No driver required to take a post-accident test shall use alcohol for eight (8) hours following the accident or until he or she undergoes a post-accident alcohol test, whichever comes first.

Records of drug and alcohol tests and other related records shall be made available to a subsequent employer only as expressly requested in writing by the employee.

## **STAFF/STUDENT RELATIONS (Board Policy P 4630)**

### **Definitions**

*Educational Purpose B* A reason associated with the staff member's duties in the district including, but not limited to: counseling, the treatment of a student's physical injury, or coordination of an extracurricular activity, depending on the staff member's job description.

*Staff Member B* For the purposes of this policy, a staff member is any individual employed by the district, including part-time and substitute employees and student teachers.

*Student B* Individuals currently enrolled in the Pemiscot Co. Spec. School Dist..

### **General**

Staff members are expected to maintain courteous and professional relationships with students. All staff members have a responsibility to provide an atmosphere conducive to learning through consistently and fairly applied discipline and the maintenance of physical and emotional boundaries with students. These boundaries must be maintained regardless of the student's age, the location of the activity, whether the student allegedly consents to the relationship or whether the staff member directly supervises the student. Maintaining these boundaries is an essential requirement for employment in the district.

Although this policy applies to the relationships between staff members and district students, staff members who inappropriately interact with any child may be disciplined or terminated when the district determines such action is necessary to protect students.

### **Absolute Prohibitions**

There are some interactions between staff members and students that are never acceptable and are absolutely prohibited including, but not limited to:

1. Touching, caressing, fondling or kissing students in a sexual or sexually intimate manner.
2. Dating a student or discussing or planning a future romantic or sexual relationship with a student.
3. Making sexual advances toward a student or engaging in a sexual relationship with a student.
4. Engaging in any conduct that constitutes illegal harassment or discrimination as defined in policy AC or that could constitute a violation of that policy if pervasive.
5. Engaging in any conduct that violates Board policies, regulations or procedures or constitutes criminal behavior.

### **Exceptions to This Policy**

The goal of this policy is to protect students from harm and staff members from allegations of misconduct by requiring staff members to maintain professional boundaries with students. The district does not intend to interfere with or impede appropriate interactions between staff members and students.

An emergency situation or an educational purpose might justify deviation from some of the professional boundaries set out in this policy. Likewise, staff members might be related to students or have contact with students outside the school environment through friends, neighborhood or community activities, or participation in civic, religious or other organizations. These contacts might justify deviation from some of the standards set in this policy, but under no circumstance will an educational or other purpose justify deviating from the "Absolute Prohibitions" section of this policy.

The staff member must be prepared to articulate the reason for any deviation from the requirements of this policy and must demonstrate that he or she has maintained an appropriate relationship with the student. To avoid confusion, the district encourages staff members to consult with their supervisors prior to engaging in behaviors or activities that might violate professional boundaries as defined in this policy.

### **Failure to Maintain Boundaries**

Unless an educational purpose exists or an exception as defined in this policy applies, examples of situations where professional physical and emotional boundaries are violated include, but are not limited to:

1. Being alone with a student in a room with a closed or locked door or with the lights off. Counselors or others who need to work with students confidentially must discuss with their supervisors the appropriate manner of meeting with students.
2. Meeting students in non work settings without the parent/guardian being present, even if the parent/guardian grants permission. Likewise, staff members might be related to students or have contact with students outside the school environment through friends, neighborhood or community activities, or participation in civic, religious or other organizations. These contacts might justify deviation from some of the standards set in this policy, but under no circumstance will an educational or other purpose justify deviating from the "Absolute Prohibitions" section of this policy.
3. Associating with students in any setting where students are provided, are consuming or are encouraged to use or consume alcohol, tobacco, drugs or any other product or service prohibited to minors.
4. Communicating with students about sexual topics verbally or by any form of written, pictorial or electronic communication.
5. Discussing the staff member's personal problems with or in the presence of students.
6. Sponsoring parties for students outside of school unless as part of an extracurricular activity that is appropriately supervised by additional staff members.
7. Inviting students to the staff member's home.
8. Being present when students are fully or partially nude.
9. Sending students on personal errands.
10. Allowing a student to drive the staff member's vehicle.
11. Providing a student (other than the staff member's children, stepchildren or other children living in the staff member's home) transportation in the staff member's personal vehicle without a supervisor's approval, unless another staff member or the student's parent/guardian is also present in the vehicle.



12. Allowing any student to engage in behavior that would not be tolerated if done by other similarly situated students.
13. Giving gifts to individual students.
14. Frequently pulling a student from another class or activity to be with the staff member.

### **Electronic Communication**

Staff members are encouraged to communicate with students and parents/guardians for educational purposes using a variety of effective methods, including electronic communication. As with other forms of communication, staff members must maintain professional boundaries with students while using electronic communication regardless of whether the communication methods are provided by the district or the staff member uses his or her own personal electronic communication devices, accounts, webpages or other forms of electronic communication.

The district's policies, regulations, procedures and expectations regarding in-person communications at school and during the school day also apply to electronic communications for educational purposes, regardless of when those communications occur. Staff communications must be professional, and student communications must be appropriate.

1. When communicating electronically with students for educational purposes, staff members must use district-provided devices, accounts and forms of communication (such as computers, phones, telephone numbers, e-mail addresses and district-sponsored webpages or social networking sites), when available. If district-provided devices, accounts and forms of communication are unavailable, staff members communicating electronically with students must do so in accordance with number two below. Staff members may communicate with students using district-provided forms of communication without first obtaining supervisor approval. These communications may be monitored. With district permission, staff members may establish websites or other accounts on behalf of the district that enable communications between staff members and students or parents/guardians. Any such website or account is considered district sponsored and must be professional and conform to all district policies, regulations and procedures.

2. A staff member's supervisor may authorize a staff member to communicate with students using the staff member's personal telephone numbers, addresses, webpages or accounts (including, but not limited to, accounts used for texting) to organize or facilitate a district-sponsored class or activity if the communication is determined necessary or beneficial, if a district-sponsored form of communication is not available, and if the communication is related to the class or activity. The district will provide notification to the parents/guardians of students participating in classes or activities for which personal electronic communications have been approved. Staff members may be required to send the communications simultaneously to the supervisor if directed to do so. Staff members are required to provide their supervisors with all education-related communications with district students upon request.

3. Staff use of any electronic communication is subject to the district's policies, regulations and procedures including, but not limited to, policies, regulations, procedures and legal requirements governing the confidentiality and release of information about identifiable students. Employees who obtain pictures or other information about identifiable students through their connections with the district are prohibited from posting such pictures or information on personal websites or personal social networking websites without permission from a supervisor.

4. The district discourages staff members from communicating with students electronically for reasons other than educational purposes. When an electronic communication is not for educational purposes, the section of this policy titled "Exceptions to This Policy" applies, and if concerns are raised, the staff member must be prepared to demonstrate that the communications are appropriate. This policy does not limit staff members from communicating with their children, stepchildren or other persons living within the staff member's home who happen to be students of the district.

### **Consequences**

Staff members who violate this policy will be disciplined, up to and including termination of employment. Depending on the circumstances, the district may report staff members to law enforcement and the Children's Division (CD) of the Department of Social Services for further investigation, and the district may seek revocation of a staff member's license(s) with the Department of Elementary and Secondary Education (DESE).

### **Reporting**

Any person, including a student, who has concerns about or is uncomfortable with a relationship or activities between a staff member and a student should bring this concern immediately to the attention of the principal, counselor or staff member's supervisor. If illegal discrimination or harassment is suspected, the process in policy AC will be followed.

Any staff member who possesses knowledge or evidence of possible violations of this policy must immediately make a report to the district's administration. All staff members who know or have reasonable cause to suspect child abuse shall immediately report the suspected abuse in accordance with Board policy.

Staff members must also immediately report a violation or perceived violation of the district's discrimination and harassment policy (AC) to the district's nondiscrimination compliance officer. Staff members may be disciplined for failing to make such reports.

The district will not discipline, terminate or otherwise discriminate or retaliate against a staff member for reporting in good faith any action that may be a violation of this policy.

### **Training**

The district will provide training to district staff that includes current and reliable information on identifying signs of sexual abuse in children and potentially abusive relationships between children and adults. The training will emphasize legal reporting requirements and cover how to establish an atmosphere where students feel comfortable discussing matters related to abuse.

## **HAZING AND BULLYING (Board Policy P 2655)**

In order to promote a safe learning environment for all students, the Pemiscot Co. Spec. School Dist. prohibits all forms of hazing, bullying and student intimidation. Students participating in or encouraging inappropriate conduct will be disciplined in accordance with JG-R. Such discipline may include, but is not limited to, suspension or expulsion from school and removal from participation in activities. Students who have been subjected to hazing or bullying are instructed to promptly report such incidents to a school official.

In addition, district staff, coaches, sponsors and volunteers shall not permit, condone or tolerate any form of hazing or bullying or plan, direct, encourage, assist, engage or participate in any activity that involves hazing or bullying.

District staff will report incidents of hazing and bullying to the building principal. The principal shall promptly investigate all complaints of hazing and bullying and shall administer appropriate discipline to all individuals who violate this policy. District staff who violate this policy may be disciplined or terminated.

Hazing and bullying is prohibited.

### **Definitions**

*Hazing* B For purposes of this policy, hazing is defined as any activity, on or off school grounds, that a reasonable person believes would negatively impact the mental or physical health or safety of a student or put the student in a ridiculous, humiliating, stressful or disconcerting position for the purposes of initiation, affiliation, admission, membership or maintenance of membership in any group, class, organization, club or athletic team including, but not limited to, a grade level, student organization or school-sponsored activity. Hazing may include those actions that subject a student to extreme mental stress including, but not limited

to, sleep deprivation, physical confinement, forced conduct that could result in extreme embarrassment or criminal activity, or other stress-inducing activities. Hazing may also include, but is not limited to: acts of physical brutality; hipping; beating; branding; exposing to the elements; forcing consumption of any food, liquor, drug or other substance; forcing inhalation or ingestion of tobacco products; or any other forced physical activity that could adversely affect the physical health or safety of an individual.

Hazing may occur even when all students involved are willing participants. Hazing does not occur when a student is required to audition or try out for an organization when the criteria are reasonable, approved by the district and legitimately related to the purpose of the organization.

*Bullying* B For purposes of this policy, bullying is defined as intimidation or harassment of a student or multiple students perpetuated by individuals or groups. Bullying includes, but is not limited to: physical actions, including violence, gestures, theft, or damaging property; oral or written taunts, including name-calling, put-downs, extortion, or threats; or threats of retaliation for reporting such acts. Bullying may also include cyberbullying or cyberthreats.

Cyberbullying is sending or posting harmful or cruel text or images using the Internet or other digital communication devices. Cyberthreats are online materials that threaten or raise concerns about violence against others, suicide or self-harm.

#### **DRUG-FREE WORKPLACE (Board Policy P 4870)**

Student and employee safety is of paramount concern to the Board of Education. In recognition of the threat to safety posed by employee use or possession of drugs or alcohol, the Board of Education commits itself to a continuing good-faith effort to maintain a drug-free workplace. The Board of Education shall not tolerate the manufacture, use, possession, sale, distribution or being under the influence of controlled substances, alcoholic beverages or unauthorized prescription medications by district employees on any district property; on any district approved vehicle used to transport students to and from school or district activities; off district property at any district-sponsored or district-approved activity, event or function, such as a field trip or athletic event, where students are under the supervision of the school district; or during any period of time such employee is supervising students on behalf of the school district or is otherwise engaged in school district business. When it is evident that an employee has consumed alcoholic beverages or controlled substances off school property before or during a district activity, the staff member will not be allowed on school property or to participate in the activity and will be subject to the same disciplinary measures as for possession or consumption on district property.

Staff members will be tested for alcohol and controlled substances if the district has reasonable suspicion that the staff member has violated this policy. In addition, staff members who operate district transportation must submit to alcohol and drug testing as otherwise required by law. All testing will be conducted in accordance with Board policy, administrative procedures and law.

Any employee who violates this policy will be subject to disciplinary action, which may include suspension, termination and referral for prosecution. Employees may be required to satisfactorily participate in rehabilitation programs.

Each employee of this school district is hereby notified that, as a condition of employment, the employee must abide by the terms of this policy and notify the superintendent or designee of any criminal drug statute conviction for a violation occurring in or on the premises of this school district, or while engaged in regular employment. Such notification must be made by the employee to the superintendent or designee in writing no later than five (5) calendar days after conviction. The superintendent or designee will provide notice in writing of such violation to the United States Department of Education or other appropriate federal agency within ten (10) calendar days after the superintendent or designee receives such notification if the district receives any federal grants directly from such agency, as opposed to federal grants received through the Department of Elementary and Secondary Education (DESE).

The district will take appropriate disciplinary action within 30 days.

The district will institute a drug-free awareness program to inform employees of the dangerous and harmful nature of drug and alcohol abuse in the workplace, of this policy of maintaining a drug-free workplace, of available counseling and rehabilitation, and of the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

The Board of Education recognizes that employees who have a drug abuse problem should be encouraged to seek professional assistance. Although the district will not assume financial responsibility, an employee who requests assistance shall be referred to a treatment facility or agency in the community if such facility or agency is available.

Upon the request of DESE or an agency of the United States, the district shall certify that it has adopted and implemented the drug prevention program described in this policy. The district shall conduct a biennial review of this policy to determine its effectiveness, implement necessary changes and ensure that the disciplinary sanctions are consistently enforced. Compliance with this policy is mandatory.

### **SECLUSION, ISOLATION AND RESTRAINT (BOE Policy P 2770)**

#### **Purpose**

Through the adoption of this policy, the Board of Education expects to:

1. Promote safety and prevent harm to students, school personnel and visitors in the school district.
2. Foster a climate of dignity and respect in the use of discipline and behavior-management techniques.
3. Provide school personnel with clear guidelines about the use of seclusion, isolation and restraint in response to emergency situations.
4. Provide parents/guardians information about state guidelines and district policies related to the use of discipline, behavior management, behavior interventions and responses to emergency situations.
5. Promote the use of nonaversive behavioral interventions, including positive behavioral support techniques.

#### **Policy Applicability**

This policy applies to all district personnel as defined in the policy. District personnel assigned to facilities not located on district premises (hospitals, detention centers, juvenile facilities and mental health facilities) will follow the policy as specified in the written agreement between the district and the facility. If no policy is specified in a written agreement, employees will follow the facilities' policies unless such policies conflict with the district's policy. If there is a conflict, the employee will notify his or her supervisor and follow district policy until otherwise directed by the Board of Education.

#### **Definitions**

*Assistive Technology Device* B Any item, piece of equipment or product system that is used to increase, maintain or improve the functional capacities of a student with a disability.

*Aversive Behavioral Intervention or Aversive Intervention* B An intervention that is intended to inflict pain or discomfort upon a student for the purpose of eliminating or reducing maladaptive behaviors, including such interventions as: contingent application of noxious, painful or intrusive stimuli or activities; any form of noxious, painful or intrusive spray, inhalant or tastes; or other similar interventions. The term does not include such interventions as voice control limited to loud, firm commands; time-limited ignoring of a specific behavior; token fines as part of a token economy system; brief physical prompts to interrupt or prevent a specific behavior; interventions medically necessary for the treatment or protection of the student; or other similar interventions. Corporal punishment administered in accordance with state law is not an aversive intervention for the purpose of this policy.

*Behavioral Intervention* B An individualized instructional and environmental support that teaches students appropriate behaviors to replace problem behaviors. Behavioral interventions are guided by a functional behavioral assessment that identifies the communicative intent of problem behavior and takes into consideration any known medical, developmental or psychological limitation(s) of the student.

*Behavior Intervention Plan (BIP)* B A plan that sets forth specific behavior interventions for a specific student who displays chronic patterns of problem behavior.

*Behavior Management* B Comprehensive, schoolwide procedures applied in a proactive manner that constitute a continuum of strategies and methods to support and/or alter behavior in all students.

*Chemical Restraint* B Administration of a drug or medication to manage a student's behavior that is not a standard treatment and dosage for the student's medical condition.

*Confinement* B The act of preventing a student from leaving an enclosed space.

*Discipline* B Consequences for violating the district's student code of conduct.

*Emergency Situation* B A situation in which a student's behavior poses a serious, probable threat of imminent physical harm to self or others or destruction of property.

*Functional Behavior Assessment* B A formal assessment to identify the function or purpose the behavior serves for the student so that classroom interventions and behavior support plans can be developed to improve behavior. The assessment could include observations and charting of the behavior and interviews with family, teachers and the student to determine the frequency, antecedent and response of the targeted behavior.

*Individualized Education Program (IEP)* B A student's Individualized Education Program as defined by the Individuals with Disabilities Education Act (IDEA).

*Isolation* B The confinement of a student alone in an enclosed space without locking hardware. Isolation does not include supervised in-school suspension, detention or time-out used as disciplinary consequences in accordance with the district's student discipline code.

*Law Enforcement Officer* B Any public servant having both the power and duty to make arrests for violations of the laws of this state.

*Locking Hardware* B Mechanical, electrical or other material devices used to lock a door or to prevent egress from a confined area.

*Mechanical Restraint* B A device or physical object that the student cannot easily remove that restricts a student's freedom of movement or normal access to a portion of his or her body. This includes, but is not limited to: straps, duct tape, cords or garments. The term does not include assistive technology devices.

*Physical Escort* B The temporary touching or holding of the hand, wrist, arm, shoulder or back for the purpose of inducing a student who is acting out or eloping to walk to a safe location.

*Physical Restraint* B The use of person-to-person physical contact to restrict the free movement of all or a portion of a student's body. It does not include briefly holding a student without undue force for instructional or other purposes, briefly holding a student to calm the student, taking a student's hand to transport him or her for safety purposes, physical escort, or intervening in a fight.

*Positive Behavior Supports* B A range of instructional and environmental supports to teach students pro-social alternatives to problem behavior and allow them multiple opportunities to practice pro-social skills and receive high rates of positive feedback.

*Restraint* B See the definitions for *chemical restraint*, *mechanical restraint* and *physical restraint*.

*School or District Employee or Personnel* B Any person employed by the district, volunteering for the district or performing services on behalf of the district or at the direction of the district. "School or District Employee or Personnel" may include persons working with students as independent contractors or on behalf of an independent contractor, or persons employed by another agency who are providing educational or related services to students.

*Seclusion* B The confinement of a student alone in an enclosed space from which the student is physically prevented from leaving by locking hardware.

*Section 504 Plan* B A student's individualized plan as defined by Section 504 of the Rehabilitation Act of 1973.

*Time-Out* B Brief removal from sources of positive reinforcement that does not meet the definition of seclusion or isolation. The purpose of time-out is to separate the student from the attention of staff and other students.

### **Use of Time-Out**

Nothing in this policy is intended to prohibit the use of time-out as defined in this policy.

### **Use of Aversive Interventions**

Aversive interventions will only be used in accordance with this policy. District personnel shall never use aversive interventions that compromise health and safety.

### **Use of Seclusion, Isolation and Restraint**

#### ***Seclusion***

Seclusion as defined in this policy is prohibited except in an emergency situation while awaiting the arrival of law enforcement officers as provided for in state law.

#### ***Isolation***

Isolation shall only be used:

1. In an emergency situation, or
2. When less restrictive measures have not effectively de-escalated the situation and the school has a plan for how to respond in such situations, or
3. With parental approval as specified in a student's IEP, Section 504 plan or other agreed-upon plan to address a student's behavior.

Isolation shall never be used as a form of punishment or for the convenience of district personnel.

A student in isolation must be monitored by district personnel who are in close proximity and able to see and hear the student at all times. Monitoring shall be face to face unless personal safety is significantly compromised, in which case technology-supported monitoring may be utilized. The total time in isolation is to be reasonably calculated based on the age of the student and the circumstances and is not to exceed 40 minutes without a reassessment of the situation and consultation with parents/guardians or administrative staff, unless otherwise specified in an IEP, Section 504 plan or other parentally agreed-upon plan to address a student's behavior.

The space in which the student is isolated should be a normal-sized meeting room or classroom commonly found in a school setting with standard lighting, ventilation, heating, cooling and ceiling height and that is free of objects that could cause harm to the student.

#### ***Physical Restraint***

Physical restraint shall only be used:

1. In an emergency situation, or
2. When less restrictive measures have not effectively de-escalated the situation and the school has a plan for how to respond in such situations, or
3. With parental approval as specified in a student's IEP, Section 504 plan or other agreed-upon plan to address a student's behavior.

Physical restraint will:

1. Only be used for as long as necessary to resolve the actual risk of danger or harm that warranted the use of physical restraint.
2. Be no greater than the degree of force necessary to protect the student or other persons from imminent bodily injury or to protect property.
3. Not place pressure or weight on the chest, lungs, sternum, diaphragm, back, neck or throat that restricts breathing.
4. Only be done by district personnel trained in the proper use of physical restraint.

District personnel who use physical restraint shall only use restraint methods in which they have received district-approved training. Further, district personnel who use physical restraint may only do so in the presence of at least one (1) additional adult who is in the line of sight unless no other adult is immediately available due to an unforeseeable emergency situation.

Physical restraints should never be used as a form of punishment or for the convenience of district personnel.

***Mechanical Restraint***

Mechanical restraint shall only be used as specified in a student's IEP or Section 504 plan with two (2) exceptions:

1. Vehicle safety restraints shall be used according to state and federal regulations.
2. Mechanical restraints employed by law enforcement officers in school settings should be used in accordance with appropriate professional standards and applicable policies.

***Chemical Restraint***

Chemical restraints shall never be used by district personnel.

***Emergency Situation Follow-ups***

Following any emergency situation involving the use of seclusion, isolation or restraint, a meeting shall occur as soon as possible but no later than two (2) school days after the emergency situation. The meeting shall include, at a minimum, a discussion of the events that led to the emergency and why the de-escalation efforts were not effective; any traumatic reactions on the part of the student, other students or school personnel; what, if anything, could have been done differently; and an evaluation of the process. All staff members directly involved with the emergency situation will be included in the meeting, which will be scheduled and led by the building principal or designee.

**Positive Behavior Supports**

The superintendent or designee is responsible for implementing the districtwide use of appropriate positive behavior supports designed to support or alter behavior in all students.

**Training**

The superintendent shall ensure that all district personnel are trained annually and know the policy and procedures involving the use of seclusion, isolation and restraint. Training shall include all of the following:

1. A continuum of prevention techniques.
2. Environmental management techniques.
3. A continuum of de-escalation techniques.
4. Information about this policy.

In addition to the training provided to all district personnel, those who utilize seclusion, isolation or restraint will also receive annual training in:

1. The appropriate use of physical restraint.
2. Professionally accepted practices in physical management and use of restraints.
3. The best way to explain the proposed restraint methods to students and parents/guardians.
4. The appropriate use of isolation.
5. The appropriate use of seclusion.

**Records**

The superintendent or designee will maintain records documenting the use of seclusion, isolation and restraint showing when they were used and the reason for use; the duration of the use; names of district personnel involved; whether students or school personnel were injured; the name and age of the student; whether the student has an IEP, Section 504 plan or BIP; when the parents/guardians were notified; if the student was disciplined; and any other documentation required by federal or state law.

**Notice to Parents/Guardians**

Except as otherwise specified in a student's IEP or Section 504 plan, following an emergency situation involving the use of seclusion, isolation or restraint, the parent/guardian of the student shall be notified through verbal or electronic means of the incident as soon as possible, but no later than the end of the day of the incident.

The parent/guardian shall receive a written report of the emergency situation within five (5) school days of the incident. The written incident report shall include all of the following:

1. Date, time of day, location, duration and description of the incident and interventions.
2. Event(s) that led up to the incident.
3. Nature and extent of any injury to the student.
4. Name of an employee the parent/guardian can contact regarding the incident.
5. Plan to prevent the need for future use of seclusion, isolation or restraint.

### **Students with Disabilities**

If the IEP or Section 504 plan of a student with a disability includes the use of seclusion, isolation, restraint or aversive behavior intervention:

1. The IEP or Section 504 plan must specify the conditions under which seclusion, isolation, restraint or aversive behavior intervention may be used.
2. The IEP or Section 504 plan must include steps to eliminate the need for the use of seclusion, isolation, restraint or aversive behavior intervention.
3. Any use of seclusion, isolation, restraint or aversive behavior intervention must be limited to what is set forth in the IEP or Section 504 plan.

Before adding the use of seclusion, isolation, restraint or aversive behavior intervention to an IEP or Section 504 plan, the student must have undergone appropriate assessments including, but not limited to, a formal functional behavior assessment, and the student must have a BIP in place.

## **INTEGRATED PEST MANAGEMENT**

Recognizing the potential impact of both chemicals and pests on health and the environment, the Board of Education of the Pemiscot Co. Spec. School Dist. requires that all district property and facilities utilize a system of integrated pest management (IPM) for controlling insects, rodents, weeds and other pests. Integrated pest management is the use of a variety of methods for effective pest control while minimizing pesticide use.

### **Definitions**

*Biological Controls* -- Use of a pest's natural enemies to control pest population. Conservation and augmentation are the biological control strategies most commonly used by school districts. Conservation simply preserves the natural biological controls already present. Augmentation means increasing the number of biological controls in a particular area.

*Chemical Controls* -- Pheromones; insect growth regulators; repellants; dusts, soaps and oils; synthetic or botanical insecticides, fungicides and other similar substances. For the purposes of this policy, chemical controls do not include the application of germ killers, disinfectants, sanitizing agents, water purifiers, swimming pool chemicals or self-applied personal insect repellants.

*Integrated Pest Management (IPM)* -- The use of a variety of methods for effective pest control while minimizing pesticide use.

*Pest* -- Includes, but is not limited to: weeds, insects, arachnids, rodents, reptiles, birds and other animals other than those used in classroom instruction.

*Pest Tolerance Level* -- The level of pests deemed tolerable before action will be taken.

### **IPM Components**

The superintendent will work with representatives of school food services, facilities management, maintenance services, building administrators and a school nurse to develop procedures for implementation of this policy. These procedures must include:

1. A method for monitoring the types and numbers of pests present on district property.
2. A method for accurately identifying the pests to be controlled.
3. An acceptable pest tolerance level (i.e., the level of pests deemed tolerable).



4. A list of acceptable pest control tactics to be applied in this order:
  - 1 No action
  - 2 Erection of physical barriers
  - 3 Alterations to current practices that contribute to pest problems
  - 4 Application of exterior biological controls
  - 5 Chemical controls beginning with the least toxic pesticides appropriate
  - 6 Methods for educating students, parents and staff about pest prevention.

#### **Notice of Treatment**

All chemical treatment will be conducted at a time when buildings are unoccupied, other than the individuals conducting the treatment. Notice of chemical treatment must be posted in buildings where the treatment is scheduled.

Each notice will include the name of the active ingredients, the locations of the application, date of the application, approximate time and length of the application, the safe re-entry time or date and the name of the person to contact for additional information.

#### **Prohibitions and Requirements**

No form of chemical pest management may be applied on district property unless the application is performed by a licensed individual who has prior approval in accordance with this policy and appropriate procedures. The district will only use or contract with companies that use appropriately certified individuals for pesticide application. No individual may disperse any type of pest control device without authority from the superintendent or designee. For the purposes of this policy, chemical pest management does not include the application of germ killers, disinfectants, sanitizing agents, water purifiers, swimming pool chemicals or self-applied personal insect repellants.

The district will purchase pesticides in limited amounts calculated to meet the district's needs for no more than one (1) year. The school nurse will be provided a copy of the Material Safety Data Sheet (MSDS) for each pesticide used.

#### **Complaint Resolution**

Complaints and concerns about the district's pest management program should be directed to the superintendent.

### **STUDENT GUIDANCE AND COUNSELING (Board Policy P 2810)**

Since Pemiscot County Special School District does not count students, all counseling services will be provided in conjunction with the Component District.

#### **Definitions**

*Counselor* B For the purposes of this policy, a counselor is a school counselor as defined by the Department of Elementary and Secondary Education (DESE).

*Guidance Advisory Committee (GAC)* B A committee composed of at least one (1) counselor from each grade level, a principal, teachers and others as determined by the superintendent.

#### **General**

The Pemiscot Co. Spec. School District.'s comprehensive guidance program provides important benefits to all students at all grade levels by addressing their personal/social, academic and career development needs. Research indicates that a fully implemented comprehensive guidance program has a positive impact on student achievement and has the potential to increase attendance, reduce discipline referrals and improve Missouri Assessment Program (MAP) scores. In support of the district's efforts to improve student achievement, the Board requires full implementation of the Missouri Comprehensive Guidance Program and will adhere to all of its standards. The program shall be implemented in each attendance area and is

considered an integral part of each school's educational program. Guidance program objectives will be aligned with the district's Comprehensive School Improvement Plan (CSIP) and student performance data.

The program shall be implemented by certified school counselors with the support of district staff, students and external organizations and agencies.

### **Responsive Services**

Responsive services are referrals and other actions taken by the district in response to the immediate needs and concerns of a particular student or identified needs and concerns of groups of students. The purpose of the responsive services component of the comprehensive guidance program is to work with students whose personal circumstances, concerns or problems are interfering or threatening to interfere with their academic, career or personal/social development. Responsive services will be implemented through individual counseling, small group counseling, consultation and referral.

Referrals shall be made in accordance with Board policies and district procedures. The superintendent, with the assistance of the GAC, will develop procedures for staff to use to identify students who may need a referral for assistance beyond that regularly provided by the counseling staff. All staff members who, in the course of their duties, have contact with students on a regular basis will receive annual training on these procedures.

Staff should immediately report any concerns to the Director of Special Education.

## **INTERROGATIONS, INTERVIEWS AND SEARCHES (Board Policy P 2150)**

### **Searches by School Personnel**

School lockers, desks and other district property are provided for the convenience of students and, as such, are subject to periodic inspection without notice.

Student property may be searched based on reasonable suspicion of a violation of district rules, policy or law.

Reasonable suspicion must be based on facts known to the administration, credible information or reasonable inference drawn from such facts or information. Searches of student property shall be limited in scope based on the original justification of the search. The privacy and dignity of students shall be respected.

Searches shall be carried out in the presence of adult witnesses and not in front of other students, unless exigent circumstances exist.

It is a privilege, not a right, to park on school grounds. The school retains the authority to conduct routine patrols of any vehicle parked on school grounds. The interior of a student's automobile on school premises may be searched if the school authority has reasonable suspicion to believe that such a search will produce evidence that the student has violated or is violating either the law or district policy.

The administration will contact law enforcement officials to perform a search if the administration reasonably suspects that a student is concealing controlled substances, drug paraphernalia, weapons, stolen goods or evidence of a crime beneath his or her clothing and the student refuses to surrender such items. Law enforcement officials may be contacted for assistance in performing a search in any case in which a student refuses to allow a search or in which the search cannot safely be conducted.

School employees and volunteers, other than commissioned law enforcement officers, shall not strip search students, as defined in state law, except in situations where an employee reasonably believes that the student possesses a weapon, explosive or substance that poses an imminent threat of physical harm to the student or others and a commissioned law enforcement officer is not immediately available. If a student is strip searched, as defined in state law, by a school employee or a commissioned law enforcement officer, the district will attempt to notify the student's parents/guardians as soon as possible.

During an examination, and if reasonable under the circumstances, school employees may require students to empty pockets or remove jackets, coats, shoes and other articles of exterior clothing that when removed do not expose underwear. Employees may also remove student clothing to investigate the potential abuse or neglect of a student, give medical attention to a student, provide health services to a student or screen a student for medical conditions.

### **School Resource Officers**

The school resource officer (SRO) may interview or question students regarding an alleged violation of law. A school resource officer may also accompany school officials executing a search or may perform searches under the direction of school officials.

### **Interview with Police or Juvenile Officers/Other Law Enforcement Officials**

Law enforcement officials may wish to interview students regarding their knowledge of suspected criminal activity and may wish to interrogate students who are themselves suspected of engaging in criminal activity. Such interviews and interrogations are discouraged during class time, except when law enforcement officials have a warrant or other court order or when an emergency or other exigent circumstances exist. It is the responsibility of the principal or designee to take reasonable steps to prevent disruption of school operations while at the same time cooperating with law enforcement efforts.

When law enforcement officials find it necessary to question students during the school day or during periods of extracurricular activities, the school principal or designee will be present and the interview will be conducted in private. The principal will verify and record the identity of the officer or other authority and request an explanation of the need to question or interview the student at school. The principal ordinarily will make reasonable efforts to notify the student's parents/guardians unless the interviewer raises a valid objection to the notification.

### **Removal of Students from School by Law Enforcement Officials**

Before a student at school is arrested or taken into custody by a law enforcement official or other legally authorized person, the principal will verify the official's identity. To the best of his or her ability, the principal will verify the official's authority to take custody of the student. The school principal will attempt to notify the student's parents/guardians that the student is being removed from school.

### **Interview with the Children's Division**

Representatives of the Children's Division (CD) of the Department of Social Services may meet with students on campus. The district liaison will work with CD to arrange such meetings so they are minimally disruptive to the student's schedule. If the student is an alleged victim of abuse or neglect, CD may not meet with the student in any school building or child care facility where the abuse of the student allegedly occurred. The principal will verify and record the identity of any CD representatives who request to meet with or take custody of a student.

### **Contacts by Guardian Ad Litem and Court-Appointed Special Advocate**

When a court-appointed guardian ad litem or special advocate finds it necessary to interview a student during the school day or during periods of extracurricular activities, the school principal or designee must be notified. The principal will verify and record the identity of the individual through the court order that appoints him or her. The interview must be conducted in a private setting and with the least disruption to the student's schedule.

## **TECHNOLOGY USAGE (Board Policies R 6320 & P 6320)**

The Pemiscot Co. Spec. School District's technology exists for the purpose of enhancing the educational opportunities and achievement of district students. Research shows that students who have access to technology improve achievement. In addition, technology assists with the professional enrichment of the staff

and increases engagement of students' families and other patrons of the district, all of which positively impact student achievement. The district will periodically conduct a technology census to ensure that instructional resources and equipment that support and extend the curriculum are readily available to teachers and students.

The purpose of this policy is to facilitate access to district technology and to create a safe environment in which to use that technology. Because technology changes rapidly and employees and students need immediate guidance, the superintendent or designee is directed to create procedures to implement this policy and to regularly review those procedures to ensure they are current.

### **Definitions**

For the purposes of this policy and related procedures and forms, the following terms are defined:

*Technology Resources* B Technologies, devices and services used to access, process, store or communicate information. This definition includes, but is not limited to: computers; modems; printers; scanners; fax machines and transmissions; telephonic equipment; mobile phones; audio-visual equipment; Internet; electronic mail (e-mail); electronic communications devices and services, including wireless access; multi-media resources; hardware; and software. Technology resources may include technologies, devices and services provided to the district by a third party.

*User* B Any person who is permitted by the district to utilize any portion of the district=s technology resources including, but not limited to, students, employees, School Board members and agents of the school district.

*User Identification (ID)* B Any identifier that would allow a user access to the district=s technology resources or to any program including, but not limited to, e-mail and Internet access.

*Password* B A unique word, phrase or combination of alphabetic, numeric and non-alphanumeric characters used to authenticate a user ID as belonging to a user.

### **Authorized Users**

The district's technology resources may be used by authorized students, employees, School Board members and other persons approved by the superintendent or designee, such as consultants, legal counsel and independent contractors. All users must agree to follow the district's policies and procedures and sign or electronically consent to the district's User Agreement prior to accessing or using district technology resources, unless excused by the superintendent or designee.

Use of the district's technology resources is a privilege, not a right. No potential user will be given an ID, password or other access to district technology if he or she is considered a security risk by the superintendent or designee.

### **User Privacy**

A user does not have a legal expectation of privacy in the user's electronic communications or other activities involving the district's technology resources including, but not limited to, voice mail, telecommunications, e-mail and access to the Internet or network drives. By using the district's network and technology resources, all users are consenting to having their electronic communications and all other use monitored by the district. A user ID with email access will only be provided to authorized users on condition that the user consents to interception of or access to all communications accessed, sent, received or stored using district technology.

Electronic communications, downloaded material and all data stored on the district=s technology resources, including files deleted from a user=s account, may be intercepted, accessed, monitored or searched by district administrators or their designees at any time in the regular course of business. Such access may include, but is not limited to, verifying that users are complying with district policies and rules and investigating potential misconduct. Any such search, access or interception shall comply with all applicable laws. Users are required to return district technology resources to the district upon demand including, but not limited to, mobile phones, laptops and tablets.

### **Technology Administration**

The Board directs the superintendent or designee to assign trained personnel to maintain the district's technology in a manner that will protect the district from liability and will protect confidential student and employee information retained on or accessible through district technology resources.

Administrators of district technology resources may suspend access to and/or availability of the district's technology resources to diagnose and investigate network problems or potential violations of the law or district policies and procedures. All district technology resources are considered district property. The district may remove, change or exchange hardware or other technology between buildings, classrooms or users at any time without prior notice. Authorized district personnel may install or remove programs or information, install equipment, upgrade any system or enter any system at any time.

### **Content Filtering and Monitoring**

The district will monitor the online activities of minors and operate a technology protection measure on the network and all district technology with Internet access, as required by law. In accordance with law, the content filter will be used to protect against access to visual depictions that are obscene or harmful to minors or are child pornography. Content filters are not foolproof, and the district cannot guarantee that users will never be able to access offensive materials using district equipment. Evading or disabling, or attempting to evade or disable, a content filter installed by the district is prohibited.

The superintendent, designee or the district's technology administrator may fully or partially disable the district's content filter to enable access for a nonstudent user for bona fide research or other lawful purposes.

In making decisions to fully or partially disable the district's content filter, the administrator shall consider whether the use will serve a legitimate educational purpose or otherwise benefit the district.

### **Online Safety, Security and Confidentiality**

In addition to the use of a content filter, the district will take measures to prevent minors from using district technology to access inappropriate matter or materials harmful to minors on the Internet. Such measures shall include, but are not limited to, supervising and monitoring student technology use, careful planning when using technology in the curriculum, and instruction on appropriate materials. The superintendent, designee and/or the district's technology administrator will develop procedures to provide users guidance on which materials and uses are inappropriate, including network etiquette guidelines.

All students will be instructed on safety and security issues, including appropriate online behavior and the dangers of sharing personal information about themselves or others when using e-mail, social media, chat rooms or other forms of direct electronic communication. This instruction will occur in the district's computer courses, courses in which students are introduced to the computer and the Internet, or courses that use the Internet in instruction. Students are required to follow all district rules when using district technology resources and are prohibited from sharing personal information online unless authorized by the district.

All district employees must abide by state and federal law and Board policies and procedures when using district technology resources to communicate information about personally identifiable students to prevent unlawful disclosure of student information or records.

All users are prohibited from using district technology to gain unauthorized access to a technology system or information; connect to other systems in evasion of the physical limitations of the remote system; copy district files without authorization; interfere with the ability of others to utilize technology; secure a higher level of privilege without authorization; introduce computer viruses, hacking tools, or other disruptive/destructive programs onto district technology; or evade or disable a content filter.

### **Closed Forum**

The district's technology resources are not a public forum for expression of any kind and are to be considered a closed forum to the extent allowed by law. The district's webpage will provide information about the school district, but will not be used as an open forum.

All expressive activities involving district technology resources that students, parents/guardians and members of the public might reasonably perceive to bear the imprimatur of the district and that are designed to impart particular knowledge or skills to student participants and audiences are considered curricular publications. All curricular publications are subject to reasonable prior restraint, editing and deletion on behalf of the school district for legitimate pedagogical reasons. All other expressive activities involving the district's technology are subject to reasonable prior restraint and subject matter restrictions as allowed by law and Board policies.

### **Records Retention**

Trained personnel shall establish a retention schedule for the regular archiving or deletion of data stored on district technology resources. The retention schedule must comply with the *Public School District Records Retention Manual* as well as the *General Records Retention Manual* published by the Missouri Secretary of State.

In the case of pending or threatened litigation, the district's attorney will issue a litigation hold directive to the superintendent or designee. The litigation hold directive will override any records retention schedule that may have otherwise called for the transfer, disposal or destruction of relevant documents until the hold has been lifted by the district's attorney. E-mail and other technology accounts of separated employees that have been placed on a litigation hold will be maintained by the district's information technology department until the hold is released. No employee who has been so notified of a litigation hold may alter or delete any electronic record that falls within the scope of the hold. Violation of the hold may subject the individual to disciplinary actions, up to and including termination of employment, as well as personal liability for civil and/or criminal sanctions by the courts or law enforcement agencies.

### **Violations of Technology Usage Policies and Procedures**

Use of technology resources in a disruptive, inappropriate or illegal manner impairs the district's mission, squanders resources and shall not be tolerated. Therefore, a consistently high level of personal responsibility is expected of all users granted access to the district's technology resources. Any violation of district policies or procedures regarding technology usage may result in temporary, long-term or permanent suspension of user privileges. User privileges may be suspended pending investigation into the use of the district's technology resources.

Employees may be disciplined or terminated, and students suspended or expelled, for violating the district's technology policies and procedures. Any attempted violation of the district's technology policies or procedures, regardless of the success or failure of the attempt, may result in the same discipline or suspension of privileges as that of an actual violation. The district will cooperate with law enforcement in investigating any unlawful use of the district's technology resources.

### **Damages**

All damages incurred by the district due to a user's intentional or negligent misuse of the district's technology resources, including loss of property and staff time, will be charged to the user. District administrators have the authority to sign any criminal complaint regarding damage to district technology.

### **No Warranty/No Endorsement**

The district makes no warranties of any kind, whether expressed or implied, for the services, products or access it provides. The district's technology resources are available on an "as is, as available" basis.

The district is not responsible for loss of data, delays, nondeliveries, misdeliveries or service interruptions.

The district does not endorse the content nor guarantee the accuracy or quality of information obtained using the district's technology resources.