



K I R K W O O D  
S C H O O L D I S T R I C T

***Our Mission***

*To equip students with the skills, knowledge and understanding to be empathetic, successful, and to value all people.*

***Our Vision***

*Every student—engaged, empowered, and ready for success.*

# 2024-25 District Information for Parents

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[Kirkwood School District Website](#)



*One* K I R K W O O D  
*A New Frontier*

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*The Kirkwood School District does not discriminate on the basis of sex, race, religion, age, national origin, handicap, or disability in admissions to, or treatment of employment in its programs and activities. Any person having inquiries concerning the District's compliance with Title IX, Section 504 for student issues should contact Dr. Matthew Bailey, Assistant Superintendent of Student Services, at 314.213.6106. For employee issues, contact Dr. Howard Fields, Assistant Superintendent of Human Resources, by calling 314.213.6103.*

# Welcome from Superintendent

August 1, 2024

Dear Families,

Welcome to the 2024-25 school year! Whether you are new to the Kirkwood School District or the parent of a rising senior, we hope you are excited for the start of this year. With your partnership, we can work to achieve our mission to equip students with the skills, knowledge and understanding to be empathetic, successful and a value to all people.

Thanks to the support of our community and the guidance of our strategic plan, we are able to hire and retain the highest quality teachers and staff, support rigorous learning in the classroom, and improve facilities for our students. Last year, we celebrated the completion of projects made possible through Prop R, which was approved by voters in 2021. With these updates and improvements complete, we are looking to the future to ensure we continue offering innovative, student-centered and equitable facilities for our students.

Every school year brings challenges and accomplishments. As we enter the 2024-2025 school year, you can be sure that, in all that we do, we will remain focused on improving outcomes for our students. Thank you for your partnership as we work each day to ensure every student is engaged, empowered and ready for success. Enjoy the school year!

Sincerely,

David Ulrich, Ed.D.  
Superintendent

## 2024-25 School District Calendar

August 5 thru 9	New Teacher Orientation
August 12, 19	Teacher Work Days
August 13	District Workshop (Opening Day)
August 14 thru 16	Staff Development Day - <b>No School for Students</b>
<b>August 20</b>	<b>First Day of School for K-12 Students</b>
September 2	Labor Day Holiday – <b>District Closed</b>
October 11	<b>No School for Students</b>
October 17	End of First Quarter
October 18	Teacher Work Day - <b>No School for Students</b>
October 21	Records Day – <b>No School for Students</b>
November 5	Staff Development/Election Day - <b>No School for Students</b>
November 27	<b>No School for Students</b>
November 28 thru 29	Thanksgiving Recess – <b>District Closed</b>
December 20	End of First Semester
December 23 thru January 1	Winter Recess – <b>District Closed</b>
January 2	Records Day – <b>No School for Students</b>
January 3	Staff Development Day – <b>No School for Students</b>
<b>January 6</b>	<b>School Resumes</b>
January 20	Martin Luther King Day – <b>District Closed</b>
February 14	Staff Development Day – <b>No School for Students</b>
February 17	Presidents Day – <b>District Closed</b>
March 7	End of Third Quarter
March 14	Staff Development Day - <b>No School for Students</b>
March 17 thru 21	Spring Recess – <b>District Closed</b>
March 24	<b>No School for Students</b>
March 25	School Resumes
April 8	Staff Development/Election Day - <b>No School for Students</b>
April 18	Teacher Work Day - <b>No School for Students</b>
May 22	Last Day of School for Students – <b>Early Release</b>
May 23	Teacher Work Day
May 26	Memorial Day – <b>District Closed</b>
June 19	Juneteenth – <b>District Closed</b>

*Calendar dates are subject to change. Please check individual school calendar. Schools may conduct Parent/Teacher conferences on additional days and/or during evening hours.*

## District Mission & Vision

It is not by accident that students are at the heart of our Mission and Vision statements. Their success, now and in their future, is what drives us each and every day.

**Our Mission:** To equip students with the skills, knowledge and understanding to be empathetic, successful, and to value all people.

**Our Vision:** Every student—engaged, empowered, and ready for success.

### **The Student Experience**

We live in a world that is changing rapidly. Large numbers of our students will someday work in careers that have yet to be invented, and many are already doing things – in and out of school – that previous generations would have thought not possible. Skills necessary for success in the workplace are different now than they were only 5-10 years ago. We have an obligation to prepare students for this changing world – even if it requires us to think differently about school structures and practices that may be outdated or obsolete. The student experience in the Kirkwood School District must be fundamentally better than ever before.

### **Our students will...**

- Feel supported through positive relationships, with knowledge that others care about them, their interests, and their success
- Be happy, healthy, and have equitable opportunities to succeed
- Discover, wonder about, and solve complex problems, independently and with others
- Effectively use critical and creative thinking strategies; tinker/play with newly formed ideas to test their validity
- Collaborate with others, in person and digitally, and communicate with a range of audiences for a variety of reasons
- Actively question, explore, and apply thinking through rigorous learning, within and across disciplines and in authentic situations

### **Future-Ready Learners...**

What does it mean to be a future-ready learner in the Kirkwood School District?

We believe our graduates must be prepared for a rapidly changing world and workforce, ready for success in college, career and civic life. They must also, however, be actively engaged in living a full life in the here and now.

#### Wellness, Joy, & Hope

- Are physically and mentally healthy, prepared to live a lifestyle of wellness
- Possess the confidence and adaptive skills to take risks, work hard, and be resilient in the face of challenges
- Use visual and performing arts to inspire thinking, communicate ideas, and better understand the world around them

#### Connection & Collaboration

- Build and maintain healthy relationships, demonstrating kindness, respect, character, and integrity
- Serve as empathetic learners and leaders, with the ability to understand others' needs and the potential impact of their actions on those around them
- Are skilled at working with others – in person and via technology – to collaborate around ideas, accomplish tasks, and advance new learning

#### Flexible Thinking

- Think critically and creatively about ideas to find and solve problems across a wide range of situations
- Leverage technology flexibly to access information, collaborate, make/create, and communicate ideas
- Capitalize on mistakes and failures to advance thinking, learning, and understanding
- Use design thinking and iteration to explore complex issues
- Manage cognitive load to effectively process new information

#### Disciplinary Literacy & Application

- Read, write, and question to actively understand and discern ideas, within and across discipline
- Apply knowledge from multiple disciplines to new and unpredictable situations
- Actively make sure of media literacy and digital citizenship skills

Literacy – Numeracy – Scientific Literacy  
Financial Literacy – Cultural & Civic Literacy

#### Global Citizenship

- Serve as global citizens, with an appreciation for diverse cultures/ideas and a commitment to inclusion and equity
- Engage in efforts to improve one's community – locally and globally – through service, advocacy and civic responsibility
- Serve as stewards of our environment, with a sense of connectedness to and responsibility for our planet

*School life, for Kirkwood students, is not a dress rehearsal.*

## Board of Education

As elected representatives of the citizens of the Kirkwood School District, the Board of Education serves as the governing body for the community's public school system. The seven-member school board approves district policies, selects the superintendent of schools, adopts the annual budget, and determines the tax rate. School board elections are conducted annually in April. In accordance with state law and district policy, a school board election is not held if the number of candidates who file is equal to the number of positions to be filled by the election. Board members serve three-year, over-lapping terms and receive no salary. Although individual members may hold different viewpoints, the Kirkwood Board of Education is united in its commitment to serving children.

<b>Member</b>	<b>Term</b>	<b>Expires</b>	<b>Phone</b>	<b>Email</b>
Ms. Nikole Shurn <i>President</i>	2 <sup>nd</sup> term	2026	853-6365	nikole.shurn@kirkwoodschools.org
Ms. Judy Moticka <i>Vice President</i>	1 <sup>st</sup> term	2025	402-9238	judy.moticka@kirkwoodschools.org
Ms. Jean Marie Andrews <i>Director</i>	3 <sup>rd</sup> term	2027	239-7626	jeanmarie.andrews@kirkwoodschools.org
Ms. Laura Hepburn <i>Director</i>	1 <sup>st</sup> term	2027	775-5591	laura.hepburn@kirkwoodschools.org
Mr. Mark Boyko <i>Director</i>	2 <sup>nd</sup> term	2025	853-9488	mark.boyko@kirkwoodschools.org
Mr. Ben Caffey <i>Director</i>	1 <sup>st</sup> term	2026	283-7016	ben.caffey@kirkwoodschools.org
Ms. Jennifer Pangborn <i>Secretary</i>	3 <sup>rd</sup> term	2026	422-1439	jennifer.pangborn@kirkwoodschools.org

### Meetings

Kirkwood School District residents are welcome to attend regular Board of Education meetings which are open to the public. Regular meetings begin at 7:00 p.m. and are generally scheduled on the first and third Mondays of each month. The Board of Education may also conduct executive closed session meetings, which are closed to the public in compliance with Missouri "Sunshine Laws." Closed meetings are usually restricted to student, personnel, property, or legal matters. Occasionally special meetings or board workshops are held in public view at times other than the regularly scheduled meetings.

### Agenda

Agendas for the regular meetings are prepared by the superintendent of schools in consultation with the president of the school board. Agendas are available on the district's website ([www.kirkwoodschools.org](http://www.kirkwoodschools.org)). After board approval, copies of the minutes of each board meeting are available on the district's website.

### Addressing the Board

Time is allotted at the start of each regular meeting for the public to address the board on specific agenda items or to comment on non-agenda items. Because board meetings are formal meetings held in public view, rules of order are followed and time restrictions are placed on discussions. The president of the board is responsible for managing the time allowed for public discussion, the appropriateness of the subject, and the amount of time allowed individual speakers. Residents who wish to make public comment are asked to complete a "Request to Address the Board" card available at the meeting and to present it to the clerk before the start of the meeting. The Board of Education does not act immediately upon requests put before it from the floor. Often such matters are referred to the superintendent for study and appropriate follow-up.

### Contacting the Board Members

To express their views in less formal settings, Kirkwood School District residents are welcome to contact board members by mail in care of the district offices, 1099 Milwaukee Street, Kirkwood, MO 63122. Residents may also email board members through the district's website at [www.kirkwoodschools.org](http://www.kirkwoodschools.org).

## District Directory

Communities Served: All or portions of Des Peres, Frontenac, Glendale, Huntleigh, Kirkwood, Oakland, Sunset Hills, Town and Country and Warson Woods. The Kirkwood School District also welcomes eligible students from the city of St. Louis through the St. Louis Voluntary Transfer Program.

**District Administrative Services Center (ASC)**

1099 Milwaukee Street 63122

314.213.6100 (phone)

314.984.0002 (fax)

<b>Superintendent's Office:</b> Dr. David Ulrich, <i>Superintendent of Schools</i>	314.213.6101
<b>Community Relations and Development:</b> Ms. Steph Deidrick, <i>Chief Communications Officer</i>	314.213.6123
<b>Curriculum and Instruction:</b> Dr. Liz Grana, <i>Assistant Superintendent</i>	314.213.6104
<b>Diversity, Equity and Inclusion:</b> Dr. Jeremy Mapp, <i>Executive Director</i>	314.213.6108
<b>Finance and Operations:</b> Mr. Mike Romy, <i>Chief Finance Officer</i>	314.213.6107
<b>Human Resources:</b> Dr. Howard Fields III, <i>Assistant Superintendent</i>	314.213.6103
<b>Instruction and Professional Learning:</b> Dr. Kelly Dickinson, <i>Director</i>	314.213.6100 extension 7810
<b>Multi-Tiered Systems of Support (MTSS):</b> Ms. Elizabeth Lock, <i>Executive Director</i>	314.213.6106
<b>Special Education:</b> Dr. Taneal Davis, <i>Director</i>	314.213.6124
<b>Student Services:</b> Dr. Matt Bailey, <i>Assistant Superintendent</i>	314.213.6106

**Schools**

<b>Kirkwood Early Childhood Center</b> 100 N Sappington Rd. 63122 Dr. Amanda Rose, <i>Principal</i>	314.213.6136
<b>Keysor Elementary School</b> 725 N Geyer Rd. 63122 Dr. Alyssa Taylor, <i>Principal</i>	314.213.6120
<b>North Glendale Elementary School</b> 765 N Sappington Rd. 63122 Dr. Stefanie Limpert, <i>Principal</i>	314.213.6130
<b>Robinson Elementary School</b> 803 Couch Ave. 63122 Dr. La'Kendra Garrett, <i>Principal</i>	314.213.6140
<b>Tillman Elementary School</b> 230 Quan Ave. 63122 Dr. Bryan Painter, <i>Interim Principal</i>	314.213.6150
<b>Westchester Elementary School</b> 1416 Woodgate Ave. 63122 Ms. Julie Harris, <i>Principal</i>	314.213.6160
<b>Nipher Middle School</b> 700 S Kirkwood Rd. 63122 Dr. Laura Havener, <i>Principal</i>	314.213.6180
<b>North Kirkwood Middle School</b> 11287 Manchester Rd. 63122 Dr. Dana Liberton, <i>Principal</i>	314.213.6170
<b>Kirkwood High School</b> 801 Dougherty Ferry Rd. 63122 Dr. Seth Harrell, <i>Principal</i>	314.213.6110
<b>Building &amp; Grounds</b> 200 Thomas Ave. 63122 Mr. Russ Leary, <i>Director</i>	314.213.6185
<b>Copy Center Services</b> 106 N Sappington Rd. 63122 Mr. Bill Diehl, <i>Copy Center Supervisor</i>	314.213.6100 extension 7835
<b>Technology Services</b> 106 N. Sappington Rd. 63122 Mr. Kevin Richmiller, <i>Director</i>	314.213.6127

## Student Services Department Information & Contacts

The Kirkwood School District is committed to working with parents to meet the educational needs of all of our students. A variety of special services are available in our schools to assist students whose educational needs require supports beyond what is typically provided within the general classroom.

Your child's classroom teacher is the first person you should contact for guidance on how we can best work together to support your child's educational needs. Other key building staff include your child's counselor, school nurse, principal and assistant principal. If your child is already participating in a special program, or if you believe your child may be in need of special services, you should contact your child's classroom teacher, counselor or principal for assistance. Other district staff who are available to assist you when your child has special needs include the following:

### STUDENT SERVICES DEPARTMENT

**Dr. Matt Bailey** – 314-213-6100 ext. 7819  
*Asst. Superintendent of Student Services*  
[matt.bailey@kirkwoodschoools.org](mailto:matt.bailey@kirkwoodschoools.org)

**Elizabeth Lock** – 314-213-6100 extension 7827  
*Executive Director of MTSS*  
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**Aey Melton** – 314-213-6100 extension 7819  
*Executive Secretary of Student Services*  
[aey.melton@kirkwoodschoools.org](mailto:aey.melton@kirkwoodschoools.org)

**Enrollment, Student Records, Homeless, Transfer Programs, Counseling, Special Education, Section 504, Homebound Instruction, MTSS, ELL, Gifted Education, Literacy & Math Intervention, Alternative Education, Disciplinary Hearing, Social Works, Wellness, Health Services, Summer School, Virtual Learning, Assessment**

**Lindsey Pelosi** – 314-213-6100 extension 7814  
*Executive Secretary of Student Services*  
[lindsey.pelosi@kirkwoodschoools.org](mailto:lindsey.pelosi@kirkwoodschoools.org)

### SPECIAL EDUCATION

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*SSD Director of Special Education, ROB*  
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**Amy Wassman** – 314-213-6100 extension 8270  
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**Dr. Mandy Rose** – 314-213-6100 extension 3601  
*Kirkwood Early Childhood Center Principal*  
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**Dr. Emily Meuth** -- 314-213-6100 extension 7022  
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**Mary Pat Blaskiewicz** -- 314-213-6100 extension 3602  
*KECC Asst Principal & Early Childhood Special Ed Coord.*  
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### ENGLISH LANGUAGE LEARNERS (ELL)

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### GIFTED EDUCATION

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## INTERVENTION

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## ALTERNATIVE EDUCATION

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**Kimberly Thomas**

*Pioneer Pathways Counselor*

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**GUIDANCE COUNSELORS****Whitney Mitchell**

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**India Howard**

*Guidance Counselor – 1, 3, 5 (KEY)*

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**TBD**

Social Worker (KHS)  
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**Special Education Services**

The Kirkwood School District is committed to working with parents to meet the educational needs of all of our students. A variety of special services are available in our schools to assist students whose educational needs require supports beyond what is typically provided within the general classroom.

Your child's classroom teacher is the first person you should contact for guidance on how we can best work together to support your child's educational needs. Other key building staff include your child's counselor, school nurse, principal and assistant principal. If your child is already participating in a special program, or if you believe your child may be in need of special services, you should contact your child's classroom teacher, counselor or principal for assistance.

**Special Education Parent Advisory Council**

The Kirkwood Special Education Parent Advisory Council (PAC) was developed to provide professional and supportive connection among parents and school staff who share an interest in promoting the education of children with disabilities. Each school has several parents who represent their school on the district-level PAC. These parents also work with their school to support families of students with special needs. Kirkwood's district-level PAC meets several times each year to share information and seek input from parents on district planning for special education and related supports for students.

If you would like more information regarding PAC, please contact your SSD special education coordinator.

**Section 504**

Section 504 of the Vocational Rehabilitation Act of 1973 prohibits recipients of federal funding from discriminating against individuals with disabilities. This Act is a non-discrimination law that also guarantees students with disabilities access to a free appropriate public education. Section 504 requires schools to provide all individuals an opportunity for meaningful participation in district programs & facilities.

In order to qualify for non-discrimination protection under Section 504 of the Vocational Rehabilitation Act, an individual must:

1. Have a mental or physical impairment which substantially limits one or more major life activity.
2. Have a record of such impairments.
3. Be regarded as having such an impairment.

If you have a child or know of a student who may be eligible under Section 504, contact the student's school counselor or school administrator.

## MTSS Interventions

### MTSS Interventions provide additional supports for students

*Screenings, assessments and focused instruction help students meet academic and social/emotional goals.*

The Kirkwood School District (KSD) promotes student success through collaborative teamwork that enables each student to learn at their full potential. This process MTSS (Multi-Tiered Systems of Support) uses information gathered through classroom observation and assessments to determine how our staff can work toward meeting each individual child's needs. The MTSS process provides multi-tiered levels of support around academic, behavioral and social/emotional goals that include:

1. High-quality classroom instruction (Universal)
2. Regular universal screenings
3. Curriculum-based and diagnostic assessments
4. Frequent progress monitoring
5. Interventions that support student needs (Supplemental and Intensive)
6. Ongoing communication with families about student progress toward goals

Each student's academic achievement is consistently monitored by the teacher and, as necessary, the MTSS Team. If a student requires additional intervention, the team supports the student using Tier II and/or Tier III instruction. The MTSS Team and the classroom teacher closely monitor the child's progress.

All students are engaged in high-quality instruction in the general education classroom. In addition, the multi-level intervention is a dynamic process which allows a student to receive Universal, Supplemental and Intensive instructional supports as necessary.

Our MTSS data-based decision making model leads to increased collaboration and improved student outcomes for each individual learner.

*Childfind notice: If at any time you believe your child has a need for special education or Section 504 services, please contact your school counselor.*

## English Language Learner (ELL) Program

Kirkwood School District strives to provide equal educational opportunities for all students in the district. The Kirkwood ELL Program exists to serve the needs of Limited English proficient (LEP\*) students who are unable to participate effectively in academic programs due to their LEP status. In order to support these students in developing the skills necessary to achieve challenging performance standards in a regular classroom, the administration has established procedures which:

1. appropriately identify and evaluate English Language Learners
2. determine the appropriate instructional environment for ELLs
3. monitor the progress of students receiving ELL instruction in order to determine continuation and level of need of ELL services
4. establish professional standards for ELL staff members and provide development opportunities for staff members who work with ELLs
5. where feasible, the district may provide support for the students' use of the native language while developing English language skills

\* Limited English Proficient students (or English Language Learners) are those whose native/home language is a language other than English and whose English language skills of listening, speaking, reading and writing are not developed to a level at which they can achieve challenging performance standards in a regular classroom.

If you would like more information, please contact Dr. Matt Bailey (Assistant Superintendent of Student Services) at [matt.bailey@kirkwoodschoools.org](mailto:matt.bailey@kirkwoodschoools.org) or 314-213-6100 extension 7819.

## Gifted Program

Kirkwood School District strives to provide equal educational opportunities for all students in the district. The Kirkwood Gifted Program exists to serve the needs of students who possess significantly advanced knowledge, critical and creative problem solving, and highly developed learning capabilities. These learners demonstrate the capacity to handle curricular content at a rapid pace and at advanced levels of abstractness, complexity, and independence. This program is referred to as REACH in grades K-5 and SOAR in grades 6-8. In order to support these students in achieving their personal goals and academic success for which they are capable, the KSD will do the following:

1. appropriately identify and evaluate Gifted learners

2. determine the appropriate instructional needs and environments
3. monitor the progress of students receiving Gifted instruction in order to determine the appropriate Level of Services
4. establish professional standards for Gifted staff members and provide development opportunities for staff members who work with Gifted students

If you would like more information, please contact your building Gifted Specialist or the Executive Director of MTSS: Elizabeth Lock at [elizabeth.lock@kirkwoodschools.org](mailto:elizabeth.lock@kirkwoodschools.org) or 314-213-6100 ext. 7827.

### **Alternative Education Opportunities**

In the Kirkwood School District, nontraditional and alternative programs serve students who require or thrive in an environment other than a traditional educational setting. This population of learners may face challenges in school, home, and community. As a result, their ability to access services in the traditional setting may be at-risk. Nontraditional and alternative education programs deliver innovative 21 Century approaches to teaching and learning which provide students with the opportunity to meet graduation requirements, engage in college and career readiness, and participate as productive members of their communities.

### **Educational Support Counseling Services**

The Educational Support Counseling program is a partnership between Kirkwood School District and BJC Behavioral Health. The partnership was formed to support the early intervention and short-term mental health needs for Kirkwood School District students from kindergarten age through grade 12. This is possible through a grant from the St. Louis County Children's Fund. The ESC is a licensed professional counselor or licensed clinical social worker. Services include crisis intervention services, direct counseling, case management services, referral to community resources, small and large student-topic groups, staff and parent education on mental health issues, and consultative services to teachers and administration on individual student needs. ESC services are designed to be short-term support interventions. If you have any questions or would like to make a referral to the ESC program, please contact your school counselor.

#### **Referral Procedures for ESC Services**

Should a student, parent, teacher, support staff and/or administrator identify a concern about a student's well-being, a referral for ESC services can be initiated using the following procedures:

1. Contact the school counselor who will assess the need for ESC support.
2. The school guidance counselor will then make the referral to the designated ESC.
3. The ESC will make contact with the student and/or family to initiate services.

### **Social Emotional Learning Coaches**

The Kirkwood School District employs Social Emotional Learning Coaches whom work within our schools to provide coaching and partnership to teachers who are dealing with challenging social and emotional related behaviors within their classroom environments. These certified teachers have experience and training to assist their peers in identifying root causes and identifying research-based intervention protocols. Their role is to deepen the toolbox of the teacher and build confidence for future implementation.

### **Social Workers**

District Social Workers are trained mental health professionals who work within the school setting to strengthen the social/emotional well-being of all students in order to enhance academic and personal goals. Kirkwood School District employs six social workers.

A District Social Work Referral Form, available through the building level administrator or counselor, is completed for referral to social work services. A student should be referred to the school social worker when the student shows signs of social and/or emotional difficulties that are interfering with the student's success at school, and all appropriate interventions available by the on-site staff have been attempted.

### **Educating Missouri's Homeless Children**

The McKinney-Vento Act guarantees homeless children and youth an education equal to what they would receive if they were not homeless.

#### **Who is Homeless?**

According to the McKinney-Vento Act, homeless children and youth include individuals who lack a fixed, regular and adequate nighttime residence and one of the following situations:

1. Sharing the housing of others (known as doubling-up) due to loss of housing or economic hardship
2. Living in motels, hotels, trailer parks or camping grounds
3. Living in emergency or transitional shelters
4. Abandoned in hospitals
5. Living in a nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation
6. Living in cars, parks, abandoned buildings, substandard housing, bus or train stations, or similar settings

The McKinney-Vento Act also recognizes unaccompanied youth who are homeless. According to the act, an unaccompanied youth is a youth not in the physical custody of a parent or legal guardian.

**Which School Can a Homeless Child Attend?**

There are two choices for a student in a homeless situation — the school of origin and the school of residency. The school of origin is the school the child attended when permanently housed or the school in which the child was last enrolled. The school of residency is the school serving the area where the child or youth is currently physically dwelling. When determining the school of best interest, a homeless child or youth should remain in the school of origin (to the extent feasible) unless doing so is contrary to the wishes of the parent or guardian or to the wishes of the unaccompanied youth.

**Enrollment**

The McKinney-Vento Act requires the immediate enrollment of homeless children and youth. These children must be allowed to attend school even if they are unable to produce previous academic records, immunization and medical records, proofs of residency, birth certificates, or other documentation that is usually required.

**Transportation**

School districts must provide transportation for homeless children and youth to the school of best interest. Districts must also provide transportation during the resolution of any pending disputes. While disputes over enrollment, school selection or eligibility are being resolved, students must be transported to the school of choice of the parent or the unaccompanied youth.

**The Homeless Liaison**

A school district’s homeless liaison plays a vital role in ensuring that children and youth experiencing homelessness enroll and succeed in school. The McKinney-Vento Act requires that every school district appoint a homeless liaison who serves as the link between homeless families and school staff, district personnel, shelter workers, and social-service providers.

If you would like more information, please contact Dr. Matt Bailey, District Homeless Liaison at [matt.bailey@kirkwoodschoools.org](mailto:matt.bailey@kirkwoodschoools.org) or 314-213-6100 ext. 7819.

Missouri’s Homeless Liaison, call 573-522-8763.

**Parent/Guardian Notice of Electronic Communication with Students Form**

**Kirkwood School District  
Parent/Guardian Notice of Electronic Communication with Students**

Staff members of the Kirkwood School District recognize there are advantages to communicating with students for educational purposes using a variety of effective methods, including electronic communication. When communicating electronically with students, staff members are required to use district-provided devices, accounts, web pages and social networking sites when available.

Some staff members are given permission to communicate with students on a limited basis using the staff member’s personal telephone numbers, addresses, web pages or accounts (including, but not limited to, accounts used for texting) for the purpose of organizing or facilitating a district-sponsored class or activity (for example, text messaging students participating on an athletic team or on a field trip).

To facilitate these authorized communications, your student may be asked to provide his or her contact information to staff members to use to communicate with your student. This information includes, but is not limited to, your student’s mobile phone number, and e-mail address.

The district’s policies, regulations, procedures and expectations regarding in-person communications at school and during the school day apply to electronic communications for educational purposes, regardless of when those communications occur. Staff communications must be professional, and student communication must be appropriate. Staff members will only electronically communicate with your student between the hours of 6:00 a.m. and 10:00 p.m. unless there are extraordinary circumstances.

Please indicate your preference below by signing the appropriate line. If you have questions or concerns regarding this process, please contact your building principal before making your decision.

\_\_\_\_\_ has my permission to communicate with Kirkwood School District staff members through electronic media.

\_\_\_\_\_  
Parent Signature

\_\_\_\_\_  
Date

\_\_\_\_\_ DOES NOT have my permission to communicate with Kirkwood School District staff members through electronic media.

\_\_\_\_\_  
Parent Signature

\_\_\_\_\_  
Date

## Copyright Violations

### Students and Copyright:

What do students need to know to protect themselves from copyright violations?

#### Did you know?

1. Computer software violations are a **felony**.
2. "Bounty-hunters" are hired by some companies to identify and report violators of copyright law and guidelines.
3. A limit of **one** image per book or periodical issue may be used in a project or report.
4. Music from CD's may **not** be dubbed or copied to a cassette tape.
5. Compiling video clips from several different videos is a violation of copyright guidelines.
6. Information found on the Internet is copyrighted unless accompanied by a message explicitly permitting duplication.
7. Technology allows easy duplication but does not necessarily make the duplication legal. In other words, just because you **can** does not mean you **may**.

### Steps to Take to Copyright Compliance

1. Plan your project well in advance of the deadline allowing time to request permission from copyright holders.
2. Ask the classroom teacher or library media specialist for a sample letter requesting permission from the copyright holder.
3. Do **not** assume you may use any and all material without asking for permission.
4. There are guidelines for print, audiovisual, video, multimedia, music, and others. Students are permitted to use limited amounts of material without permission. Learn about these limitations by asking the classroom teacher or library media specialist for the specific guidelines for the type of material you want to use.

### Educators and Copyright:

What do educators need to know to protect themselves from copyright violations?

#### Did you know?

1. Computer software violations are a **felony** and Missouri educators will lose their certificate if convicted of a felony.
2. **No** videotape may be used for entertainment, reward, or time-fillers without obtaining public performance rights.
3. "Bounty-hunters" are hired by some companies to identify and report violators of copyright law and guidelines.
4. Information found on the Internet is copyrighted unless accompanied by a message explicitly permitting duplication.
5. Copying for the purpose of teaching is not **automatically** legal.
6. Technology allows easy duplication but does not necessarily make the duplication legal. In other words, just because you **can** does not mean you **may**.
7. No more than or 10% of the songs total length or no more than 30 seconds total of recorded, copyrighted music may be used.

### Types of Infringement

**innocent** an educator has made every effort to comply with copyright law by following guidelines but unknowingly overlooked something.

**standard** an educator makes no effort to become informed about or comply with copyright law and guidelines.

**willful** an educator is aware of but chooses to disregard copyright law and guidelines.

### Infringement Discovery

1. Some companies require sales representatives to report observed copyright infringements.
2. Discovery of infringements can be as simple as a parent or school visitor noticing a violation in a school publication or at a school event and reporting the discovery.

### Infringement Penalties

1. \$500 to \$20,000 per work infringed upon.
2. Up to \$100,000 in cases of willful infringement.
3. \$20,000 per violation per day in cases of computer software. Computer software violations are a felony and Missouri educators will lose their certificate if convicted of a felony.

### Infringement Law Suit

1. The person who violates the law is the primary offender.

2. Board of education, the superintendent, curriculum director, principal, etc. can be sued.
3. Secondary offenders having knowledge of the infringement (contributory and/or vicarious infringers).

**Suggested Steps for Compliance with District Copyright Policy**

1. Follow established district guidelines and procedures for the use of copyrighted materials.
2. Participate in staff development sessions addressing copyright law and guidelines and the importance of compliance in the district for all staff members.
3. Conduct training for students in the use of copyrighted materials which may be incorporated into their presentations and/or portfolios.

**Academic Integrity**

Academic integrity is demonstrated by students when the ideas and the works of others are properly cited and respect for the learning process is maintained. In an era of artificial intelligence (AI), the lines around what is acceptable may be blurred. The following guidelines will help provide direction when using AI in schools.

- Students are responsible for their own work. This means the use of an AI tool to generate a response to an assignment and claim it as their own is considered plagiarism.

Artificial intelligence, when used responsibly and appropriately, can play a role in the learning process. There will be a wider range of learning resources available to students as technology advances. When using these resources, it's important that student maintain credibility and honesty in their work.

- Students should cite all sources that they use, including AI-generated sources. This includes giving credit to the AI program or algorithm that generated the source, as well as any other sources that were used in the creation of the work.
- Students should be transparent about their use of AI in their work. This means that students should identify any AI-generated content used in their work, and they should explain how it was used.
- Students should be aware of the potential for AI to be used to cheat or plagiarize. If a student is unsure whether or not their use of AI is fair and honest, they should ask their teacher for guidance.

By following these guidelines, students can help to create a fair and honest learning environment in the age of artificial intelligence.

**Classroom Observation Agreement**

If a parent/guardian observes in a classroom instructional setting, the following apply:

1. Arrangements for observation need to be scheduled in collaboration with the building administrator and teacher.
2. Time for observation needs to be reasonable to minimize disruption to the educational learning environment. (Times of observation limited to blocks of 1-2 hours.)
3. Building/SSD administrator assigns staff member to accompany the observer.
4. Signed Classroom Observation Agreement.

If the observation is in the special education setting, all of the above apply and an additional Classroom Observation Agreement for Special School District is also required.

**Kirkwood Classroom Observation Agreement**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Relationship to child or role and agency: \_\_\_\_\_

Address: \_\_\_\_\_

Name of student to be observed: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Reason for observation:



I agree to the following:

1. I, \_\_\_\_\_, know it is possible I may see or hear confidential student information. I will protect the privacy rights of all students and, therefore, shall not release in written, electronic, video, oral form any personally identifiable information regarding any student. I will not divulge this information to other members of the public. I understand if I fail to respect student privacy rights and confidential information I may be prohibited from observing within the Kirkwood School District.
2. I shall not directly or indirectly contact the parents, guardians, or students of the assigned program in which I am observing.
3. I agree to follow the direction of the staff member assigned by the building principal.
4. I shall not take pictures, video, or audio during the observation.
5. I understand the Kirkwood School District is not responsible for any medical expenses and/or workers compensation claims I might incur while observing in the classroom.

My signature below indicates I am in agreement with and will adhere to the above provisions:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

### Reunification Letter

**PLEASE READ THE FOLLOWING FROM OUR DIRECTOR OF SAFETY AND SECURITY:**

Dear Parents:

KSD is constantly working to make sure that your children are safe when they are at school. To that end, there are many plans and systems in place to protect your children in any case of emergency. One of these mentioned plans is our parent-student reunification plan.

Our parent-student reunification plan is used if it becomes necessary to relocate the entire school population to either of our two alternative sites. Such a move will take place when it is determined by school and or district administration that keeping students in the school would be hazardous to them and staff. When you are notified of the activation of our parent-student reunification plan, you will be told where the students have been transported. **SPECIAL NOTE:** Out of concern for the safety of operations, and the security of your student(s), the alternate locations will remain confidential until such a time disclosure is needed. If it becomes necessary to activate our parent-student reunification plan, parents will receive a text message, email, and phone call with information and directions. It is critically important that your respective school's office staff have all current phone numbers and email addresses so that we are able to contact you at any time during the school day in the event of an emergency.

When you arrive at the alternative site to pick up your child, there will be five stations: A thru C, D thru G, H thru L, M thru R, S thru Z. Please report to the station that has the first letter of your student's last name. Give the station worker your child's name and present a **picture I.D.** that is a match to a name on the emergency contact list.

**Once you have been identified, your child will be brought to you at the reunification station.**

All individuals picking up students **must provide valid identification** and be **positively identified by our staff**. Unless a person's name is on our emergency contact list as having your permission to pick up your child, we will not release your child to them. Student safety is the primary concern for the Kirkwood School District. We appreciate your support and assistance in this important matter.

Sincerely,  
Martise Scott  
Director of Safety & Security  
Kirkwood School District R-VII  
[martise.scott@kirkwoodschoools.org](mailto:martise.scott@kirkwoodschoools.org)

## School Safety Updates

The safety of our schools is always top of mind. We have a district team dedicated to safety and security in our schools, and they work to ensure the measures in place are current and effective. That means continually updating our facilities, processes and protocols.

Some recent and ongoing include:

**Safety improvements:** Prop R funding supported installation of new security cameras and updates to current cameras.

**Secure playgrounds:** Incidents can affect our campuses, even after the school day is concluded. Our top priority must be keeping students in our care safe and secure. All KSD playgrounds will be closed to the public until after school programming has concluded (6 p.m.) on days when school is in session.

**Visitor management:** Each of our schools has a secure entrance with visitor management systems in place.

## Weather Emergency Information

### Electronic Messaging System:

Parents/guardians will receive a phone call, text message or e-mail through the district's electronic messaging system. This system enables school personnel to notify all households and parents by phone, text message or e-mail in the event of a school cancellation, late start or emergency. The phone calls automatically deliver a recorded message to all listed phone numbers on the district's parent contact lists.

**It is important for parents to provide their child's school with current home and work contact information.**

### School closing information is also available from:

- KTVI (Channel 2)
- KMOV (Channel 4)
- KSDK (Channel 5)
- Radio: KMOX (1120 AM)
- Internet: [www.kirkwoodschoools.org](http://www.kirkwoodschoools.org)
- Facebook: Kirkwood School District
- Twitter: @Kirkwood Schools

### District/School Voice Mail Messages

- Community Relations and Development Office : 314-213-6102
- Keysor Elementary School : 314-213-6120
- North Glendale Elementary School : 314-213-6130
- Robinson Elementary School : 314-213-6140
- Tillman Elementary School : 314-213-6150
- Westchester Elementary School : 314-213-6160
- Nipher Middle School : 314-213-6180
- North Kirkwood Middle School : 314-213-6170
- Kirkwood High School : 314-213-6110
- Kirkwood Early Childhood Center : 314-213-6136
- -- Parents As Teachers : 314-213-6137

### \*\* Special Notes \*\*

Some TV or radio stations may change during the year regarding their participation in school closing announcements.

## Title IX Reporting Abuse or Misconduct

The Kirkwood School District (KSD) takes allegations of abuse, misconduct, or inappropriate behavior very seriously. To report abuse or misconduct, students can report anonymously online at [www.kirkwoodschoools.org/report](http://www.kirkwoodschoools.org/report), email [human.resources@kirkwoodschoools.org](mailto:human.resources@kirkwoodschoools.org) or call 314.213.6100, ext. 7804.

Title IX Coordinators for the District:  
Dr. Howard Fields, [howard.fields@kirkwoodschoools.org](mailto:howard.fields@kirkwoodschoools.org)

Staff members are expected to maintain courteous and professional relationships with students. Inappropriate interactions with students will result in disciplinary action or termination when the district determines such action is necessary to protect students.

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. Any staff member who possesses knowledge or evidence of a possible violation of district policy must immediately make a report to the district's administration.

Student safety and well-being are of utmost importance to the district. There are multiple policies that are in place addressing inappropriate sexual behavior. Those policies are included in this section.

In addition, there are programs in our buildings, starting at the early childhood level, that teach children about appropriate and inappropriate touching and identifying people who can help. For more information, visit <https://www.kirkwoodschoools.org/support>

## Prohibition Against Discrimination, Harassment and Retaliation

### (KSD Policy AC)

#### [Policy AC](#)

*Last Reviewed Date: 12/18/2023*

#### **General Rule**

The Kirkwood School District Board of Education is committed to maintaining a workplace and educational environment that is free from illegal discrimination, harassment and retaliation in admission or access to, or treatment or employment in, its programs, services, activities and facilities.

Kirkwood School District complies with applicable state and federal civil rights laws and does not discriminate on the basis of race, color, religion, national origin, age, disability, or sex, including pregnancy, sexual orientation and gender identity. Kirkwood School District does not exclude people or treat them differently because of race, color, religion, national origin, age, disability, or sex, including pregnancy, sexual orientation, and gender identity and other characteristics protected by law. The Kirkwood School District is an equal opportunity employer.

The board also prohibits:

1. Retaliatory actions including, but not limited to, acts of intimidation, threats, coercion or discrimination against those who:
  - a. Make complaints of illegal discrimination or harassment.
  - b. Report illegal discrimination or harassment.
  - c. Participate in an investigation, formal proceeding or informal resolution, whether conducted internally or outside the district, concerning illegal discrimination or harassment.
2. Aiding, abetting, inciting, compelling or coercing illegal discrimination, harassment or retaliatory actions.
3. Discrimination, harassment or retaliation against any person because of such person's association with a person protected from discrimination or harassment in accordance with this policy and law.

As used in this policy, "discrimination, harassment or retaliation" has the same meaning as "illegal discrimination, harassment or retaliation" and is limited to acts prohibited by law. All employees, students and visitors must immediately report to the district for investigation any incident or behavior that could constitute discrimination, harassment or retaliation in accordance with this policy. If a student alleges sexual misconduct on the part of any district employee to any person employed by the district, that person will immediately report the allegation to the Children's Division (CD) of the Department of Social Services in accordance with state law.

#### **Sexual Harassment Reporting and District Response**

Sexual harassment is prohibited under this policy and policy ACA, but policy ACA applies only to a narrower category of sexual harassment under Title IX, as defined in the federal regulations. All sexual harassment reports must be made to the Title IX coordinator identified in policy ACA and evaluated for policy ACA applicability. If a sexual harassment report is made to any other district employee, the report must be promptly referred to the Title IX coordinator for intake. Incidents of alleged sexual harassment that are not investigated under policy ACA may be referred for processing under this policy.

#### **Additional Prohibited Behavior**

Behavior that is not unlawful or does not rise to the level of illegal discrimination, harassment or retaliation is still unacceptable for the workplace or the educational environment. The district encourages students, employees and the public to report such behavior so that it can be promptly addressed, but the grievance process in this policy is reserved for allegations of illegal discrimination, harassment and retaliation.

#### **Boy Scouts of America Equal Access Act**

As required by law, the district will provide equal access to district facilities and related benefits and services and will not discriminate against any group officially affiliated with the Boy Scouts of America, the Girl Scouts of the United States of America or any other youth group designated in applicable federal law.

## School Nutrition Programs

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the district is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by the USDA. These programs include the National School Lunch Program, the Special Milk Program, the School Breakfast Program and the Summer Food Service Program.

Any person or representative alleging discrimination based on a prohibited basis has the right to file a complaint within 180 days of the alleged discriminatory action with the USDA Office of the Assistant Secretary for Civil Rights or the district's compliance officer using the process outlined in policy EF.

### Interim Measures

When a report is made or the district otherwise learns of potential discrimination, harassment or retaliation, the district will take immediate action to protect the alleged victim, including implementing interim measures. Such interim measures may include, but are not limited to, altering a class seating arrangement, providing additional supervision or suspending an employee pending an investigation. The district will also take immediate steps to prevent retaliation against the alleged victim, any person associated with the alleged victim, or any witnesses or participants in the investigation. These steps may include, but are not limited to, notifying students, employees and others that they are protected from retaliation, ensuring that they know how to report future complaints, and initiating follow-up contact with the complainant to determine if any additional acts of discrimination, harassment or retaliation have occurred.

### Consequences and Remedies

If the district determines that discrimination, harassment or retaliation have occurred, the district will take prompt, effective and appropriate action to address the behavior, prevent its recurrence and remedy its effects.

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 district property or otherwise restricted while on district property. 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.

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

In accordance with law and district policy, any person suspected of abusing or neglecting a child will be reported immediately to the CD.

### Definitions

*Compliance Officer* – The individual responsible for implementing this policy, including the acting compliance officer when performing duties of the compliance officer.

*Discrimination* – Conferring benefits upon, refusing or denying benefits to, 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, genetic information or any other characteristic protected by law, or based on a belief that such a characteristic exists.

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

*Harassment* – 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, genetic information or any other characteristic protected by law or based on a belief that such a characteristic exists: graffiti; display of written material, pictures or electronic images; name calling, teasing or taunting; insults, derogatory remarks or slurs; jokes; gestures; threatening, intimidating or hostile acts; physical acts of aggression, assault or violence; theft; or damage to property.

*Sexual Harassment* – 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 district's 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. "Sexual Harassment under Title IX" is a subset of this definition, and the district's response to qualifying allegations is set forth in policy ACA.

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.
6. Comments about an individual's body, sexual activity or sexual attractiveness.
7. Physical sexual acts of aggression, assault or violence, including criminal offenses (such as rape, sexual assault or battery, and sexually motivated stalking) against a person's will or when a person is not capable of giving consent due to the person's age, intellectual disability or use of drugs or alcohol.
8. Gender-based harassment and acts of verbal, nonverbal, written, graphic or physical conduct based on sex or sex stereotyping, but not involving conduct of a sexual nature.

*Working Days* – Days on which the district's business offices are open.

**Compliance Officer**

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

*For matters regarding personnel:*

Assistant Superintendent of Human Resources  
Kirkwood R-VII School District  
1099 Milwaukee Street  
Kirkwood, MO 63122  
Phone: 314-213-6100 / Fax: 314-213-6190  
howard.fields@kirkwoodschoools.org

*For matters regarding students:*

Assistant Superintendent of Student Services  
Kirkwood R-VII School District  
1099 Milwaukee Street  
Kirkwood, MO 63122  
Phone: 314-213-6100 / Fax: 314-213-6190  
matt.bailey@kirkwoodschoools.org

In the event the compliance officer is unavailable or is the subject of a report that would otherwise be made to the compliance officer, reports should instead be directed to the acting compliance officer:

Superintendent  
Kirkwood R-VII School District  
1099 Milwaukee Street  
Kirkwood, MO 63122  
Phone: 314-213-6100 / Fax: 314-213-6190  
david.ulrich@kirkwoodschoools.org

For matters within the scope of this policy, the compliance officer or acting compliance officer will:

1. Coordinate district compliance with this policy and the law.
2. Receive all grievances regarding discrimination, harassment and retaliation except as provided in policy ACA.
3. Serve as the district's designated Title VI, Section 504 and Americans with Disabilities Act (ADA) coordinator, as well as the contact person for compliance with other discrimination laws.
4. Forward reports of sexual harassment and otherwise assist in Title IX compliance as directed in policy ACA.
5. Investigate or assign persons to investigate grievances; monitor the status of grievances to ensure that additional discrimination, harassment and retaliation do not occur; and recommend consequences.
6. Review all evidence brought in disciplinary matters to determine whether additional remedies are appropriate, and recommend which interim measures should be implemented.
7. Determine whether district employees with knowledge of discrimination, harassment or retaliation failed to carry out their reporting duties and recommend disciplinary action, if necessary.

8. Communicate regularly with the district's law enforcement unit or other law enforcement point of contact for the district to determine whether any reported crimes constitute potential discrimination, harassment or retaliation.
9. Oversee discrimination, harassment or retaliation grievances, including identifying and addressing any patterns or systemic problems and reporting such problems and patterns to the superintendent or the board.
10. Seek legal advice when necessary to enforce this policy.
11. Report to the superintendent and the board aggregate information regarding the number and frequency of grievances and compliance with this policy.
12. Make recommendations regarding changing this policy or the implementation of this policy.
13. Coordinate and institute training programs for district staff and supervisors as necessary to meet the goals of this policy, including instruction in recognizing behavior that constitutes discrimination, harassment and retaliation.
14. Periodically review student discipline records to determine whether disciplinary consequences are applied uniformly.
15. Perform other duties as assigned by the superintendent.

### **Public Notice**

The superintendent or designee will continuously publicize the district's policy prohibiting discrimination, harassment and retaliation and disseminate information on how to report discrimination, harassment and retaliation. Notification of the district's policy will be posted in a public area of each building used for instruction or employment or open to the public. Information will also be distributed annually to employees, parents/guardians and students as well as to newly enrolled students and newly hired employees. District bulletins, catalogs, application forms, recruitment material and the district's website will include a statement that the district does not discriminate in its programs, services, activities, facilities or with regard to employment. The district will provide information in alternative formats when necessary to accommodate persons with disabilities.

### **Reporting**

Students, employees and others may attempt to resolve minor issues by addressing concerns directly to the person alleged to have violated this policy, but they are not expected or required to do so. Any attempts to voluntarily resolve a grievance will not delay the investigation once a report has been made to the district.

#### Reports Involving Sexual Harassment

In cases involving sexual harassment, all persons must report incidents directly to the Title IX coordinator for evaluation under policy ACA. All district employees will instruct all persons seeking to make a report or complaint to communicate directly with the Title IX coordinator. Even if the suspected victim of discrimination, harassment or retaliation does not report on their own behalf, district employees are required to report to the Title IX coordinator any observations, rumors or other information about actions prohibited by this policy and policy ACA.

#### All Other Reports

Unless the concern is otherwise voluntarily resolved, all persons must report incidents that might constitute discrimination, harassment or retaliation directly to the compliance officer or acting compliance officer. All district employees will instruct all persons seeking to file a grievance to communicate directly with the compliance officer. Even if the suspected victim of discrimination, harassment or retaliation does not file a grievance, district employees are required to report to the compliance officer any observations, rumors or other information about actions prohibited by this policy. If a person refuses or is unable to submit a written complaint, the compliance officer will summarize the verbal complaint in writing. A grievance is not needed for the district to act upon finding a violation of law, district policy or district expectations.

Even if a grievance under this policy is not directly filed, if the compliance officer otherwise learns about possible discrimination, harassment or retaliation, including violence, the district will conduct a prompt, impartial, adequate, reliable and thorough investigation to determine whether unlawful conduct occurred and will implement the appropriate interim measures if necessary.

### **Student-on-Student Harassment**

Building-level administrators are in a unique position to identify and address discrimination, harassment and retaliation between students, particularly when behaviors are reported through the normal disciplinary process and not through a grievance. In general, administrators can immediately discipline a student for prohibited behavior in accordance with the district's discipline policy. However, if sexual harassment is observed or alleged, the administrator must consult the Title IX coordinator to determine policy ACA's applicability to the reported facts or allegations prior to imposing discipline. Administrators will report all incidents as directed in the "Reporting" section of this policy and will direct the parent/guardian and student to the compliance officer for further assistance. In cases not being handled under policy ACA, the compliance officer may determine that the incident has been appropriately addressed or recommend additional action.

### **Investigation**

The district will use the investigation process outlined in this section for any grievance filed under this policy (AC).

The district will immediately investigate all grievances submitted under this policy. All persons are required to cooperate fully in

the investigation. The district compliance officer or other designated investigator may utilize an attorney or other professionals to conduct the investigation and/or serve in other roles and capacities under the procedures for grievance processing.

The district does not assume responsibility or liability for actions that are unrelated to the district's programs or activities. However, the district may investigate any behavior that occurs on or off district property to the extent that such an investigation is necessary for the district to meet its legal obligations to address discrimination, harassment and retaliation that negatively impact the education or work environment. The district will address such behavior only to the extent that the district has the legal authority to do so.

In determining whether alleged conduct constitutes discrimination, harassment or retaliation, the district will consider the surrounding circumstances, the nature of the behavior, the relationships between the parties involved, past incidents, the context in which the alleged incidents occurred and all other relevant information. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances. If, after investigation, school officials determine that it is more likely than not (the preponderance of the evidence standard) that discrimination, harassment or other prohibited behavior has occurred, the district will take prompt and effective corrective action in accordance with law.

#### **Collaboration with Outside Enforcement Agencies**

In the event an outside enforcement agency is investigating the same allegation of discrimination, harassment or retaliation or a similar allegation, the district will make a preliminary inquiry, then follow the outside enforcement agency's investigation and response procedures instead of the formal district grievance process. During the inquiry, if the district determines that a reasonable basis for concluding this policy was violated exists, it will enforce appropriate interim measures while ensuring due process to the alleged perpetrator when required. When requested by law enforcement, the district may reasonably delay its own investigation to permit law enforcement to conduct the criminal investigation process.

#### **Grievance Process Overview**

1. If a person designated to hear a grievance or appeal is the subject of the grievance, the compliance officer may designate an alternative person to hear the grievance, or the next highest step in the grievance process will be used. For example, if the grievance involves the superintendent, the compliance officer may designate someone outside the district to hear the grievance in lieu of the superintendent, or the grievance may be heard directly by the board.
2. An extension of the investigation and reporting deadlines may be warranted if extenuating circumstances exist as determined by the district's compliance officer. The person filing the complaint will be notified when deadlines are extended. If more than twice the allotted time has expired without a response, the appeal may be taken to the next level.
3. Failure of the person filing the grievance to appeal within the timelines given will be considered acceptance of the findings and remedial action taken.
4. To the extent permitted by law, the district will investigate all grievances filed under this policy even if an outside enforcing agency, such as the Office for Civil Rights, law enforcement or the CD, is also investigating a complaint arising from the same circumstances.
5. The district will share information regarding an individually identifiable student or employee with the person filing the grievance or other persons only as allowed by law and in accordance with board policy.
6. Upon receiving a grievance, district administrators or supervisors, after consultation with the compliance officer, will implement interim measures as described in this policy if necessary to prevent further potential discrimination, harassment or retaliation during the pending investigation.

#### **Grievance Process**

1. Level I – A grievance is filed with the district's compliance officer. The compliance officer may conduct the Level I investigation or assign an administrator or other qualified individual to conduct the investigation. If the compliance officer determines that the grievance allegations involve sexual harassment under policy ACA, the report will be routed accordingly.

An investigation will commence no later than five working days after the compliance officer receives the grievance. The investigator shall conduct a prompt, impartial, adequate, reliable and thorough investigation, including the opportunity for the person filing the grievance and other parties involved to identify witnesses and provide information and other evidence. The investigator will evaluate all relevant information and documentation relating to the grievance.

Within 30 working days of receiving the grievance, the investigator will complete a written report that summarizes the investigation and makes determinations as to the facts and whether the facts constitute a violation of this policy based on the appropriate legal standards. If someone other than the compliance officer conducted the investigation, the compliance officer will receive the report and either adopt the report as submitted or modify and complete the report upon further investigation and/or review of applicable policy and law. If a violation of this policy is found, the compliance officer will recommend corrective action to the superintendent to address the discrimination, harassment or retaliation; prevent recurrence; and remedy its effects. The person who filed the grievance, the victim if someone other than the victim filed the grievance, and any alleged perpetrator will be notified in writing, within five working days of the completion of the report, in accordance with law and district policy, regarding whether the district's compliance officer or designee determined that district policy was violated.

2. Level II – Within five working days after receiving the Level I decision, the person filing the grievance, the victim if someone other than the victim filed the grievance, or any alleged perpetrator may appeal the compliance officer's decision to the superintendent by notifying the superintendent in writing. The superintendent may designate another person (other than the compliance officer) to review the matter when appropriate.

Within ten working days, the superintendent will complete a written decision on the appeal, stating whether a violation of this policy is found and, if so, stating what corrective actions will be implemented. If someone other than the superintendent conducts the appeal, the superintendent will review and sign the report before it is given to the person appealing. A copy of the appeal and decision will be given to the compliance officer or acting compliance officer. The person who initially filed the grievance, the victim if someone other than the victim filed the grievance, and any alleged perpetrator will be notified in writing, within five working days of the superintendent's decision, regarding whether the superintendent or designee determined that district policy was violated.

3. Level III – Within five working days after receiving the Level II decision, the person filing the grievance, the victim if someone other than the victim filed the grievance, or any alleged perpetrator may appeal the superintendent's decision to the board by notifying the board secretary in writing. The person filing the grievance and the alleged perpetrator will be allowed to address the board, and the board may call for the presence of other persons the board deems necessary. The board will issue a decision within 30 working days for implementation by the administration. The board secretary will give the compliance officer or acting compliance officer a copy of the appeal and decision. The person who filed the grievance, the victim if someone other than the victim filed the grievance, and the alleged perpetrator will be notified in writing, within five working days of the board's decision, in accordance with law and district policy, regarding whether the board determined that district policy was violated. The decision of the board is final.

### **Confidentiality and Records**

To the extent permitted by law and in accordance with board policy, the district will keep confidential the identity of the person filing a grievance and any grievance or other document that is generated or received pertaining to grievances. Information may be disclosed if necessary to further the investigation, appeal or resolution of a grievance, or if necessary to carry out interim or disciplinary measures. The district will disclose information to the district's attorney, law enforcement, the CD and others when necessary to enforce this policy or when required by law. In implementing this policy, the district will comply with state and federal laws regarding the confidentiality of student and employee records. Information regarding any resulting employee or student disciplinary action will be maintained and released in the same manner as any other disciplinary record. The district will keep any documentation created in investigating the complaint including, but not limited to, documentation considered when making any conclusions, in accordance with the Missouri Secretary of State's retention manuals and as advised by the district's attorney.

### **Training**

The district will provide training to employees on identifying and reporting acts that may constitute discrimination, harassment or retaliation. The district will instruct employees to make all reports to the district's compliance officer or acting compliance officer (or Title IX coordinator for sexual harassment, per policy ACA) and will provide current contact information for these persons. The district will inform employees of the consequences of violating this policy and the remedies the district may use to rectify policy violations. All employees will have access to the district's current policy, required notices and complaint forms. The district will provide training to any person responsible for investigating potential discrimination, harassment or retaliation.



The district will provide information to parents/guardians and students regarding this policy and will provide age-appropriate instruction to students.

## **Sexual Harassment Under Title IX (KSD Policy ACA)**

### Policy ACA

*Last Reviewed Date: 02/22/2021*

The Kirkwood School District does not discriminate on the basis of sex in its education programs and activities, including employment and admissions, as required by Title IX of the Education Amendments of 1972 (Title IX). All forms of sex-based discrimination are prohibited in the district, but this policy focuses exclusively on sexual harassment as defined in Title IX that occurs within the education programs and activities of the district. However, the district will respond promptly to investigate and address any report or complaint of sexual harassment.

"Sexual harassment under Title IX" is conduct on the basis of sex within the scope of the district's education programs or activities (as defined in this policy) that satisfies one or more of the following:

1. An employee of the district conditioning the provision of an aid, benefit or service of the district on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the district's education program or activity; or
3. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8) or "stalking" as defined in 34 U.S.C. 12291(a)(30).

See the "Definitions Applicable to this Policy" section at the end of this document for definitions of other terms applicable to this policy.

In creating this policy, the district does not relieve any person under the district's jurisdiction from the consequences for violations of other policies and rules of the district meant to establish an environment conducive to teaching, learning, support services, work and the social and emotional well-being and development of the students entrusted to the district.

If a student alleges sexual misconduct on the part of any district employee to any person employed by the district, that person will immediately report the allegation to the Children's Division (CD) of the Department of Social Services in accordance with state law and district policy. Moreover, nothing in the policy precludes the mandatory or voluntary reporting of any suspected criminal activity to the appropriate law enforcement agency at any time.

#### **Reporting Sexual Harassment or Title IX Retaliation**

Any person may report sexual harassment regardless of whether the person is the alleged victim (complainant). However, Board members and employees must immediately report to the Title IX coordinator any incident or behavior that could constitute sexual harassment or retaliation in accordance with this policy. Reports may be made at any time, including during nonbusiness hours, by using the telephone number, email address or office address listed below.

The Board authorizes the following individual(s) to serve as the Title IX coordinator(s) for the Kirkwood School District and coordinate and implement the district's efforts to comply with the requirements of Title IX.

Howard Fields, Assistant Superintendent of Human Resources  
1099 Milwaukee Street, Kirkwood, MO 63122  
Phone: 314-213-6103 / Fax: 314-213-6190  
[howard.fields@kirkwoodschoools.org](mailto:howard.fields@kirkwoodschoools.org)

In the event the Title IX coordinator is unavailable or is the respondent to a complaint, reports should instead be directed to the compliance officer or alternate compliance officer listed in policy AC.

#### **Notice of the Policy against Discrimination on the Basis of Sex**

The district will provide notice of the district's prohibition on discrimination on the basis of sex under district policy and Title IX to students, parents/guardians, employees, applicants for admission and employment, and all unions or professional associations holding collective bargaining or professional agreements with the district. The notice will:

1. Include the name or title, office address, email address and phone number of the Title IX coordinator;
2. Include information on the district's grievance procedures and grievance process;
3. State that the requirement not to discriminate extends to admission and employment; and
4. Direct inquiries to the Title IX coordinator or the assistant secretary for civil rights at the U.S. Department of Education.

The district's policy prohibiting discrimination on the basis of sex and the contact information of the Title IX coordinator(s) will be prominently displayed on the district's website and in each handbook or course catalog.

### **Retaliation Prohibited**

No person employed by or associated with the district will intimidate, threaten, coerce or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or because the individual has made a report or complaint, testified, assisted, participated or refused to participate in any manner in an investigation, proceeding or hearing under Title IX. While the law allows individuals to refuse to participate in a Title IX investigation, proceeding or hearing, district policy and the law require that employees immediately report to the Title IX coordinator any knowledge of an allegation of sexual harassment under Title IX, and employees can be reprimanded or disciplined for failing to do so.

Intimidation, threats, coercion or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment under Title IX but arise out of the same facts or circumstances as a report or formal complaint of sexual harassment under Title IX, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation. Complaints alleging retaliation must be filed with the Title IX coordinator.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of the grievance proceeding is not retaliation, with the understanding that a determination of responsibility for sexual harassment is not sufficient to conclude that a party made a materially false statement in bad faith.

### **Intake and Classification of Reports**

The Title IX coordinator will receive and review all reports of sexual harassment even if a formal complaint has not been filed. The context of behavior can make a difference between conduct falling within the technical definition of sexual harassment under Title IX and conduct of a sexual nature that is offensive or hostile in itself, but which does not constitute harassment within that definition. District policies prohibit both but, for purposes of its Title IX obligations, the district must specially address cases within the definition under this special, limited-scope policy.

If the Title IX coordinator determines that the report concerns conduct that does NOT involve sexual harassment under Title IX as that term is defined in this policy or did not occur in the district's education program or activity, the Title IX coordinator will use the grievance process in policy AC or forward the complaint to the individual responsible for implementing policy AC.

### **Procedures Prior to or without a Formal Complaint**

When the Title IX coordinator has actual knowledge of an allegation of sexual harassment under Title IX in an education program or activity of the district, the Title IX coordinator will promptly contact the complainant and:

1. Provide information about the supportive measures available to the complainant and inform the complainant that he or she may receive supportive measures without filing a formal complaint.
2. Consider the complainant's wishes with respect to supportive measures and implement appropriate supportive measures.
3. Explain to the complainant the process for filing a formal complaint.

### **Parties Enrolled in Special Education**

In the case of all reports of sexual harassment, if the complainant or respondent has an individualized education program (IEP) in place, the Title IX coordinator will consult with the appropriate special education administrator(s) for assistance in determining the appropriate supportive measures based on the special needs of the student.

If the district determines that a student's specific circumstances, including disabilities, prevent the district from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein, the district will pursue such measures as are available under district policy and law. Such measures will be designed to restore or preserve the student's equal access to the district's education programs or activities.

### **The Formal Complaint Process**

Nothing in this process will interfere with any legal right of a parent/guardian to act on behalf of a complainant, respondent or party including, but not limited to, filing a formal complaint. If a student who is not an eligible student pursuant to the Federal Education Rights and Privacy Act (FERPA) files a formal complaint, the parent/guardian will be notified.

The complainant may file a formal complaint or choose not to file a formal complaint and simply receive the supportive measures.

If the complainant does not file a formal complaint, the Title IX coordinator may sign a formal complaint initiating the grievance process. The Title IX coordinator will do so only if initiating the grievance process against the respondent is not clearly unreasonable in light of the known circumstances.

If no formal complaint is filed by the complainant or signed by the Title IX coordinator, no disciplinary action will be taken against the respondent on the grounds of sexual harassment under Title IX.

### **Title IX Grievance Process upon Filing of a Formal Complaint**

The district's grievance process will provide a prompt and equitable resolution of complaints and will:

1. Treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent;
2. Comply with Title IX regulations before imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent;
3. Require a decision-maker to objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and not make credibility determinations based on a person's status as a complainant, respondent or witness;

4. Require that all Title IX coordinators, investigators, those responsible for facilitating informal resolution processes and decision-makers not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent;
5. Presume that the respondent is not responsible for the conduct until a determination of responsibility is made at the conclusion of the grievance process;
6. Follow stated timelines unless the district temporarily delays the grievance process for good cause (including, but not limited to, the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of a disability) and notify the parties in writing of the reason for a delay, if any; and
7. Not require, allow, rely upon or otherwise use questions or evidence that constitutes, or seeks disclosure of, information protected under a legally recognized privilege unless the person holding such privilege has waived the privilege.

#### **Notice to the Parties**

When the complainant files a formal complaint, written notice will be provided to all known parties and will include:

1. Notice of the grievance process, including any informal resolution process that is available and the timeline for such process.
2. Notice of the allegations of sexual harassment under Title IX made by the complainant with sufficient details known at the time and with sufficient time to allow the respondent to prepare before the initial interview. At a minimum, the details will include the identities of the parties involved in the incident, if known, the conduct and the date and location of the alleged incident if known.
3. A statement that the respondent is presumed not responsible for the conduct and that a determination of responsibility will be made at the conclusion of the grievance process.
4. A statement that parties may have an advisor of their choice, who may be an attorney.
5. A statement that the parties and their advisors will have an equal opportunity to inspect and review any evidence that is directly related to the allegations raised in the formal complaint, including evidence upon which the district does not intend to rely, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.
6. Notice of any provision in the district's discipline code that prohibits knowingly making a false statement or providing false information during the grievance process.

If in the course of the investigation of sexual harassment under Title IX the district decides to investigate allegations about the complainant or respondent that were not in the initial notice, notice of the additional allegations will be provided to all known parties.

#### **Range of Possible Disciplinary Sanctions and Remedies**

The discipline of employees is addressed in Board policies, which are available on the district's website, and in Missouri law regarding public employees under contract. An appropriate disciplinary response for an employee found responsible for sexual harassment in this grievance process may include any suitable response available for the discipline of employees for any other violation of Board policy.

The discipline of students is addressed in the policies, regulations and procedures that establish the district's comprehensive code of student conduct, which is posted on the district's website.

Remedies may include the imposition upon a responsible respondent of any additional nondisciplinary measures appropriate to effecting a remedy for sexual harassment and may include such measures as no-contact requirements, scheduling adjustments, removal or exclusion from extracurricular activities, class reassignments, limits on future class registrations, restrictions on access to various spaces in the school buildings, reassignment of attendance, and similar measures fine-tuned to respond appropriately to the circumstances surrounding a successful complainant's right to access the district's education programs and activities.

#### **Interim Action**

##### **Emergency Removal**

The district may remove the respondent from the district's education programs and activities prior to the start or completion of the grievance procedure on an emergency basis provided that the district:

1. Performs an individualized safety and risk analysis;
2. Determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal; and
3. Provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.

This provision may not be construed to modify any rights under federal disability laws.

##### **Administrative Leave**

The district may place an employee respondent on administrative leave during the pendency of the grievance process in accordance with Board policy and law. This provision may not be construed to modify any rights under federal disability laws.

#### **Investigating a Formal Complaint**

### **Consolidation**

Formal complaints may be consolidated as to allegations of sexual harassment under Title IX against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

### **Investigation Process and Scope**

After the formal complaint is filed, the investigator will provide an investigative report to the decision-maker. The investigation may be conducted by someone other than the Title IX coordinator. The investigator will gather evidence sufficient to reach a determination of responsibility or nonresponsibility and may not require the parties to do so.

During the investigation and the grievance process, the district will:

1. Provide equal opportunity to present witnesses, including fact and expert witnesses, and all evidence, including inculpatory and exculpatory evidence.
2. Not restrict the parties from discussing the allegations under investigation or gathering and presenting relevant evidence.
3. Provide the same opportunity for parties to have others, including an advisor of their choice, present during any grievance proceedings and related meetings, though the district may restrict the extent to which advisors may participate as long as the rules apply to both parties.
4. Provide written notice to parties who are invited or expected to participate of the date, time, location, participants and purpose of all hearings, investigative interviews or other meetings with sufficient time for the parties to prepare to participate.
5. Obtain written, voluntary consent before accessing records, such as medical records or counseling notes, that a physician, psychiatrist, psychologist or other recognized professional or paraprofessional made or maintained in connection with the provision of treatment to the party. If the party is at least 18 years old or is enrolled in postsecondary education, the party can sign on his or her own behalf. Otherwise, a parent/guardian must sign on the party's behalf.
6. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. This includes evidence upon which the district does not intend to rely in reaching a determination of responsibility and inculpatory or exculpatory evidence, whether obtained from a party or other source.
7. Send to each party and the party's advisor, if any, the evidence subject to inspection and review prior to completion of the investigative report and within 20 business days of the parties receiving notice of the formal complaint. The evidence may be sent in an electronic format or hard copy. The parties will be given at least ten business days, as required by law, to submit a written response, which the investigator will consider prior to the completion of the report.
8. Create an investigative report that fairly summarizes relevant evidence and send it in an electronic or hard copy format to each party and their advisors, if any, for their review and written response. The investigative report must be sent no later than ten business days prior to the time of determination of responsibility by the decision-maker, as required by law.

### **Dismissal of the Formal Complaint**

If the district determines that the allegations, even if proved, would not constitute sexual harassment under Title IX as defined in this policy, did not occur in the district's education program or activity, or were not committed against a person in the United States, the formal complaint will be dismissed. The dismissal does not mean that a complaint cannot be made under another district policy or that any misbehavior will not be addressed under another policy or the district's code of conduct.

The district may dismiss a formal complaint or any allegations in a formal complaint at any time if:

1. The complainant notifies the Title IX coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations in the formal complaint;
2. The respondent is no longer enrolled in or employed by the district; or
3. Specific circumstances prevent the district from gathering evidence sufficient to reach a determination of responsibility based on the merits of the formal complaint or allegations therein.

If the formal complaint is dismissed, the district will notify the parties simultaneously. A party may appeal the dismissal of a formal complaint by submitting a written notification of appeal to the Title IX coordinator within five business days of receiving the notice that the complaint was dismissed. If the Title IX coordinator or the investigator dismissed the complaint, the dismissal will be heard by the decision-maker. If the decision-maker dismissed the complaint, the dismissal will be heard by the appellate decision-maker. The appeal is limited to the following bases:

1. There was a procedural irregularity that affected the outcome.
2. There is new evidence that was not reasonably available at the time the dismissal was made that could affect the outcome of the matter.
3. The Title IX coordinator, investigator or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent that affected the outcome of the matter.

### **Time Consumed by the Investigation**

It serves all parties when investigations proceed diligently and conclude within a reasonable time, which may vary case by case. Not more frequently than every other week, any party may request the Title IX coordinator to obtain and provide the parties with a basic status report on the investigator's progress toward completion.

### **Submission for a Determination of Responsibility and the Related Findings and Conclusions**

The Title IX coordinator will designate someone to serve as the decision-maker to determine whether the respondent is responsible for sexual harassment under Title IX. The designated person may be a district administrator, an attorney or another appropriate adult. The person designated cannot have been part of the investigation.

### **Procedures of the Decision-Maker and Party Questions and Answers**

After the parties receive the final investigative report, each party may submit to the decision-maker any written, relevant questions that the party wants asked of any party or witness. Each party will receive the answers to the questions and will be allowed time to submit limited follow-up questions. The decision-maker:

1. Will permit questions and evidence about the complainant's sexual predisposition or prior sexual behavior only if such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.
2. May exclude a question that is not relevant. The party who submitted the question will receive an explanation as to why the question was judged not relevant.

### **Preponderance of the Evidence Standard**

The decision-maker may find the respondent is responsible for the alleged sexual harassment under Title IX only when the evidence provided more clearly and more probably favors the complainant's claim (preponderance of the evidence).

### **Decision-Maker's Findings and Resulting Remedies**

Within 20 business days after the closing of the questions period, including follow-up questions, the decision-maker will provide a written Title IX decision that includes:

1. The allegations potentially constituting sexual harassment under Title IX;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits and other methods used to gather other evidence and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the facts to the district's code of conduct and, if the student code of conduct is implicated, a referral of a student respondent to district officials charged generally with the discipline of students pursuant to Missouri law;
5. A statement of and rationale for the result as to each allegation, including a determination of responsibility, any disciplinary actions recommended to the district to be imposed on the respondent, and whether remedies designed to restore or preserve equal access to the district's education program or activity will be provided to the complainant; and
6. The procedures and permissible bases for the complainant and respondent to appeal.

The written Title IX decision will be provided to the parties simultaneously, and a copy will be provided to the Title IX coordinator.

### **Finality of the Title IX Decision**

If an appeal is filed, the Title IX decision becomes final on the date that the district provides the parties with the written determination of the result of the appeal. If an appeal is not filed, the Title IX decision becomes final on the date on which an appeal would no longer be considered timely.

### **Disciplinary Matters and Implementation of Discipline and Remedies**

The Title IX coordinator is responsible for effective implementation of any remedies, including coordination with the district's disciplinary authorities. The complainant is not a party to the disciplinary procedures concerning a respondent. The administrator(s) responsible for discipline will base that discipline on the final Title IX decision, recommendations made by the decision-maker and any changes made as a result of an appeal.

### **Appeals of the Determinations of Responsibility in the Title IX Decision**

#### **Initiating an Appeal of a Title IX Decision—Time, Contents and Assignment**

Either party may appeal the determination(s) of responsibility, the dismissal of a formal complaint or any allegation in a formal complaint by notifying the Title IX coordinator in writing within five business days of the parties receiving the written Title IX decision from the decision-maker. Appeals must be based on one or more of the following:

1. A procedural irregularity that affected the outcome of the matter.
2. New evidence that was not reasonably available at the time of the determination and that could affect the outcome of the matter.
3. The Title IX coordinator, investigator(s) or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent that affected the outcome of the matter.

The party who files the appeal will state the basis or bases for the appeal in writing. If there are multiple determinations of responsibility, the appeal should specify which ones are affected by the appeal. Appeals filed for any reason other than those listed above will not be heard.

If an appeal is filed, the Title IX coordinator will:

1. Assign the appeal to an appellate decision-maker who is not the same person as the initial decision-maker, the investigator or the Title IX coordinator.
2. Notify other parties in writing.
3. Implement the appeals process equally to all parties.
4. Give all parties the opportunity to submit a written statement in support of or challenging the outcome within five business days of receiving the notice of appeal.

Written statements and other written documents pertaining to the appeal will be shared with all parties.

### **Conduct of the Appeal**

The appellate decision-maker will review the findings of the initial decision-maker and review the written statements filed by the parties supporting or opposing the appeal. Within ten business days of the close of the period for parties to file their written statements supporting or opposing the appeal, the appellate decision-maker will issue a written decision describing the result of the appeal and the rationale for the result to all parties simultaneously. The appellate decision-maker may refer an appealed issue back to a prior point in the grievance process for correction.

### **Process for Informal Resolution of Formal Complaints**

After a formal complaint has been filed and at any time prior to reaching a determination of responsibility, the district may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. If a party requests the use of an informal resolution process, the district will provide the parties a written notice that:

1. Discloses the allegations and the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations;
2. Discloses that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint;
3. Discloses any consequences resulting from participating in the informal resolution process, including the records that, with voluntary written consent from the parties, will be maintained or could be shared; and
4. Obtains the parties' voluntary, written consent to the informal resolution process.

The informal resolution process may not be used to resolve allegations that an employee sexually harassed a student.

If the informal resolution process does not resolve the formal complaint within 30 business days after both parties consented to use the process, the Title IX coordinator will resume the grievance process unless both parties again consent to continue using the informal resolution process.

### **Training**

Title IX coordinators, investigators, decision-makers and any person designated to facilitate an informal resolution process, should the district offer one, will receive training on the following:

1. The definition of sexual harassment under Title IX as used in this policy.
2. The scope of the district's education programs and activities.
3. How to conduct the investigation and grievance process, including determination of responsibility for sexual harassment, appeals, and informal resolution processes, as applicable.
4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.
5. Issues of relevance necessary to create an investigative report that fairly summarizes the relevant evidence.
6. Issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.

The district will not use training materials that rely on sex stereotypes. All training materials used by the district will promote impartial investigations and adjudications of formal complaints of sexual harassment under Title IX. These training materials must be publicly available on the district's website or, if the district does not maintain a website, the materials must be available upon request for inspection by members of the public.

### **Records**

The district will maintain the following records for seven years:

1. Records of each investigation of sexual harassment under Title IX, including any determination of responsibility, any disciplinary sanctions imposed on the respondent and any remedies provided to the complainant designed to restore or preserve equal access to the district's education program or activity;
2. Any appeal and the result therefrom;
3. Any informal resolution and the result therefrom;
4. All materials used to train Title IX coordinators, investigators, decision-makers and any person who facilitates an informal resolution process;
5. Documentation if the district did not provide a complainant with supportive measures and the reasons why such a response was not clearly unreasonable in light of the known circumstances; and
6. Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment under Title IX. These records must document the basis for the conclusion and that the district's response was not deliberately indifferent.

The district may add documentation of additional steps taken by the district that were not initially provided in conjunction with the initial complaint filed.

### **Confidentiality**

Except as required by law, as permitted by the FERPA statute or regulations or to carry out the purposes of Title IX, including the conduct of any investigation, hearing or judicial proceeding arising thereunder, the district will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including:

1. Any individual who has made a report or filed a formal complaint of sexual harassment under Title IX;
2. Any complainant;
3. Any individual who has been reported to be the perpetrator of sex discrimination;
4. Any respondent; and
5. Any witness.

The district must maintain as confidential any supportive measures provided to the complainant or respondent to the extent that maintaining such confidentiality would not impair the ability of the district to provide the supportive measures. The Title IX coordinator is responsible for coordinating the effective implementation of supportive measures.

### **Definitions Applicable to this Policy**

The following definitions are intended for use only for the purposes of this policy.

*Actual Knowledge* – Notice of sexual harassment under Title IX or notice of allegations of sexual harassment under Title IX to the district's Title IX coordinator or to any district official who has the authority to institute corrective measures on behalf of the district or to any employee of the district, except where the only district official or employee with actual knowledge is also the respondent.

*Business Days* – Days on which the district's business offices are open.

*Complainant* – An individual who is alleged to be the victim of conduct that could constitute sexual harassment under Title IX. A Title IX coordinator who signs a formal complaint is not considered a complainant.

*Dating Violence* – Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

*Determination of Responsibility* – A formal finding of a decision-maker on each allegation of sexual harassment contained in a formal complaint that the respondent did or did not engage in conduct constituting sexual harassment under Title IX based on a preponderance of the evidence.

*Domestic Violence* – Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim by a person with whom the victim shares a child in common; by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Missouri; or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Missouri.

*Education Program or Activity* – Any part of the district-sponsored instruction or employment in the district, including locations, events or circumstances over which the district exercised substantial control over both the respondent and the context in which the sexual harassment occurred.

*Formal Complaint* – A document or electronic submission filed by the complainant or signed by the Title IX coordinator alleging sexual harassment under Title IX against a respondent and requesting that the district investigate the allegations. When a complainant files a formal complaint, the document or electronic submission must have the complainant's physical or digital signature or otherwise indicate the complainant's identity. A formal complaint may be filed only by a complainant participating in or attempting to participate in the district's education programs or activities.

*Informal Resolution Process* – Alternative dispute resolution methods designed to resolve allegations of sexual harassment without completing the formal complaint process. The purpose of the process is to restore or preserve equal access to the district's education programs or activities for all parties. Such a process may be offered by the Title IX coordinator after a formal complaint has been filed and after consultation with the district's attorney as to whether an informal resolution process will be sufficient to meet the district's Title IX obligations.

*Investigative Report* – The report of the investigator of a formal complaint.

*Party/Parties* – Complainant(s) and respondent(s).

*Remedies* – Upon a final determination of responsibility, remedies are actions taken to restore or preserve equal access to the district's education programs or activities. These may include continued or new supportive measures but may also include

imposition of more burdensome requirements, limitations and conditions upon the respondent, as well as disciplinary referral of the respondent, including suspension, termination or expulsion.

*Report* – Information provided by a complainant or any other person to the Title IX coordinator when that information indicates, suggests or alleges misconduct. This includes the intake information obtained by the Title IX coordinator prior to the filing of a formal complaint.

*Respondent* – An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment under Title IX.

*Sexual Assault* – This includes all behaviors constituting forcible or nonforcible sexual offenses within the scope of the Federal Bureau of Investigation's national uniform criminal incident reporting system. At present these classifications include any sexual act directed against another person without the consent of the victim, including instances where the victim is incapable of consent. Sexual assault specifically includes:

1. *Rape (Except Statutory Rape)* – The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his or her age or because of his or her temporary or permanent mental or physical incapacity.
2. *Sodomy* – Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his or her age or because of his or her temporary or permanent mental or physical incapacity.
3. *Sexual Assault with an Object* – To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his or her age or because of his or her temporary or permanent mental or physical incapacity.
4. *Fondling* – The touching of the private body parts of another person for the purpose of sexual gratification without the consent of the victim, including instances where the victim is incapable of giving consent because of his or her age or because of his or her temporary or permanent mental or physical incapacity.
5. *Incest* – Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Missouri law.
6. *Statutory Rape* – Nonforcible sexual intercourse with a person who is under the statutory age of consent pursuant to Missouri law.

*Stalking* – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.

*Supportive Measures* – Nondisciplinary, nonpunitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the district's education programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, safety escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

*Title IX Decision* – The comprehensive decisional document of the independent decision-maker concluding the Grievance Process, as may be amended or affected by the results of an appeal.

*Voluntary Consent* – Consent given freely and without coercion.

## **Staff Conduct (KSD Policy GBCB)**

### [Policy GBCB](#)

Last Revised Date: 10/21/2019

The Board of Education expects every employee to act professionally, ethically and responsibly; use good judgment; and do what is necessary to maintain a safe learning environment and positive relations with students, parents/guardians, coworkers and the public. In addition to expectations in other Board policies and directives from supervisors, district expectations for employees include, but are not limited to, the following:

1. Become familiar with, enforce and follow all applicable Board policies and regulations, administrative procedures, other directions given by district administrators and supervisors, and state and federal laws.
2. Maintain courteous and professional relationships with students, parents/guardians, other district employees and the public. Transmit constructive criticism to the particular school administrator or supervisor who has the administrative responsibility to address the concern. Employees will not be disciplined for speech that is protected by law and are encouraged to share concerns with their supervisors.
3. Actively participate in professional development and obtain information necessary to effectively perform the employee's job duties.



4. Conduct all official business in a professional and timely manner. Meet deadlines set by the district, administrative staff and supervisors. Conduct business with the appropriate designated person or department.
5. Care for, properly use and protect school property. Immediately report all dangerous building conditions to the building supervisor and take action to rectify the situation in order to protect the safety of students and others. Take appropriate action to prevent loss or theft of district property, and immediately report loss or theft of district property.
6. Attend all meetings called by supervisors or the district administration unless excused. Arrive at work and leave work at the time specified by the district or as directed by a supervisor, and follow district policies, procedures and directives regarding absences. All nonexempt employees must receive permission from a supervisor prior to working overtime.
7. Maintain records as required by law, Board policy and procedure, and do not destroy records unless authorized to do so. Keep all student records, medical information and other legally protected information confidential. Submit all required documents, information, data or reports at the time requested. Employees must not falsify records, create misleading records or compromise the accuracy and security of district data.
8. Properly supervise all students. The Board expects all students to be under assigned adult supervision at all times during school and during any school activity. Employees must not leave students unsupervised except as necessary to handle an emergency situation.
9. Obey all safety rules, including rules protecting the safety and welfare of students.
10. Communicate clearly and professionally. Employees will not use profanity and will not raise their voices unless necessary. Written communication must be grammatically correct. Employees will not be disciplined for speech that is protected by law and are encouraged to share concerns with their supervisors.
11. Dress in a professional manner that does not interfere with the educational environment and as directed by administrators or supervisors.
12. Other than commissioned law enforcement officers, school employees shall not perform strip searches, as defined in state law, of students 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.
13. School employees shall not direct a student to remove an emblem, insignia or garment, including a religious emblem, insignia or garment, as long as such emblem, insignia or garment is worn in a manner that does not promote disruptive behavior.
14. State law prohibits teachers from participating in the management of a campaign for the election or defeat of a member of the Board of Education that employs such teacher.
15. Unless otherwise allowed by law, employees may not engage in political campaigning during the working day or during times when they are performing their official duties.
16. Employees will not represent their personal opinions as the opinions of the district and, to avoid confusion, are required to clearly indicate when they are speaking or writing as an individual and not a representative of the district.

#### **Staff Off-Duty Conduct**

The public's trust toward education employees has to be sanctioned and protected. Education employees are to serve the public and aspire to a high degree of integrity to maintain the public's trust, support and cooperation. The district has the utmost duty to protect and provide for the safety and well-being of students. The district also has a concern about providing a safe place to work for its employees.

It is important that all education employees exhibit exemplary judgment and conduct both on and off duty. This judgment and conduct will maintain a culture of trust and safety among employees, students, parents and the community. A lapse in this judgment could be grounds for dismissal.

Any immoral conduct must adversely affect the employee's performance or otherwise render the employee unfit for the performance of his or her duties.

The following list sets out types of conduct that shall constitute the basis for termination from employment, even if such conduct does not occur while at work or on school property or during a school activity or school-approved activity.

1. The manufacture, possession, distribution, use or sale of illegal drugs.
2. Sexual or physical misconduct involving a child, including, but not limited to, assault, battery, abuse, molestation, statutory rape, statutory sodomy, sexual intercourse, deviate sexual intercourse, sexual contact or sexual conduct with a child.
3. Sexual or physical misconduct including, but not limited to, assault, battery, murder, manslaughter, kidnapping, forcible rape, forcible sodomy, sexual assault, deviate sexual assault, indecent exposure.
4. Providing or making available alcohol to anyone who may not legally possess or drink alcohol.
5. Any conduct that the district determines could put students in danger or affect the ability of the district to protect and provide for students' safety and the well being or the safety of employees or that could have a negative effect on students.

## Staff/Student Relations (KSD Policy GBH)

### [Policy GBH](#)

Last Revised Date: 02/21/2012

#### **Definitions**

*Educational Purpose* – 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* – 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* – Individuals currently enrolled in the Kirkwood School District.

#### **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 will 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. The district may presume that this provision has been violated if a staff member begins a dating or sexual relationship with a student immediately after graduation or immediately after a student has left the district.
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 nonwork settings without the parent/guardian being present, even if the parent/guardian grants permission.
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 an educational purpose.
12. Allowing any student to engage in behavior that would not be tolerated if done by other similarly situated students.
13. Giving gifts that are not related to an educational purpose 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. Staff members will only communicate with students electronically for educational purposes between the hours of 6:00 a.m. and 10:00 p.m. unless there are extraordinary circumstances. Staff members may use electronic communication with students only as frequently as necessary to accomplish the educational purpose.

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, district-sponsored webpages, video conferences 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 supervisor 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.

### **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 will be subject to disciplinary action 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.

## **Reporting and Investigating Child Abuse and Neglect (KSD Policy JHG)**

### [Policy JHG](#)

*Last Reviewed Date: 06/26/2023*

The district and its board members and 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. Board members and employees must cooperate fully with investigations of child abuse and neglect. The district prohibits discrimination, negative job action or retaliation against any person 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. Board members who fail to follow this policy and applicable law may be subject to adverse action by the board and criminal prosecution.

### **Definitions**

*Abuse* – Any physical injury, sexual abuse or emotional abuse inflicted on a child other than by accidental means by those responsible for the child's care, custody and control or by any other person, except that discipline including spanking, administered in accordance with law, shall not be construed as abuse. Physical injury, sexual abuse and emotional abuse are defined by the Children's Division (CD) of the Department of Social Services in 13 C.S.R. 35-31.010.

*Child* – Any person under 18 years of age.

*Mandated Reporter* – Employees, officials, school board members and others with care, custody and control of children in the district.

*Neglect* – The failure to provide, by those responsible for the care, custody and control of the child, the proper or necessary support, education as required by law, nutrition or medical, surgical or any other care necessary for the child's well-being.

*Sexual Misconduct* – Engaging in any conduct with a student, on or off district property, that constitutes the crime of sexual misconduct involving a child under § 566.083, RSMo.; sexual contact with a student under § 566.086, RSMo.; illegal sexual harassment as defined in policy AC, as determined by the district; or child abuse involving sexual behavior, as determined by the Children's Division (CD) of the Department of Social Services.

*Those Responsible for the Care, Custody and Control of the Child* – Includes, but is not limited to, any person exercising supervision over a child for any part of a 24-hour day and school personnel, contractors and volunteers who establish a relationship with a student through the school or through school-related activities, even if the alleged abuse or neglect occurred outside school hours or off school grounds.

### **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 CD. 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.

### **Training**

#### ***For Board Members***

Board members will participate in training on identifying signs of sexual abuse in children and danger signals of abusive relationships between children and adults as required by law.

#### ***For Employees***

The superintendent or designee shall implement annual training necessary to assist staff members in identifying possible instances of child abuse and neglect, including annual updates regarding any changes in the law. Such training shall:

1. Provide current and reliable information on identifying signs of sexual abuse in children and danger signals of potentially abusive relationships between children and adults.
2. Emphasize how to establish an atmosphere of trust so that students feel that their school has concerned adults with whom they feel comfortable discussing matters related to abuse.
3. Emphasize that all mandatory reporters shall, upon finding reasonable cause, directly and immediately report suspected child abuse or neglect. These reports must be made even if the person suspected of abusing the child is another mandated reporter, such as another school employee.
4. Emphasize that no supervisor or administrator may impede or inhibit any reporting under state law.
5. Emphasize that no person making a report in accordance with law shall be subject to any sanction, including any adverse employment action, for making such a report.

### **For Students**

In accordance with policy IGAEB, the district will provide trauma-informed, developmentally appropriate training to students in grades 6–12 on identifying and reporting sexual abuse.

### **Reporting Child Abuse and Neglect**

The board of education requires mandated reporters to comply with the state child abuse and neglect laws. Mandated reporters acting in their official capacities who know or have reasonable cause to suspect that a child has been subjected to abuse or neglect or is being subjected to conditions or circumstances that would reasonably result in abuse or neglect must directly and immediately make a report to the CD, including any report of excessive absences that may indicate educational neglect. No internal investigation shall be initiated until such a report has been made.

Mandated reporters who make such reports to the CD must notify the school principal or designee that a report has been made. The principal or designee will notify the superintendent or designee and the district liaison(s) about the report. The school principal or designee may also notify law enforcement or the juvenile office when appropriate. Mandated reporters who have reason to believe that a victim of abuse or neglect is a resident of another state or was injured as a result of an act that occurred in another state may make a report to the child protection agency with the authority to receive such reports, pursuant to law, in the other state in addition to notifying the Missouri CD pursuant to this policy.

Reporting requirements are individual, and no supervisor or administrator may impede or inhibit any reporting under this section. Employees who make a report in accordance with law shall not be subject to any sanction, including any adverse employment action, for making such a report. Further, the superintendent and other district administrators shall ensure that employees mandated by law to make a report have immediate and unrestricted access to the communication technology necessary to make an immediate report. Employees shall also be temporarily relieved of other work duties for the time required to make a mandated report.

### **Investigating Child Abuse and Neglect**

The CD investigates reports of child abuse and neglect.

When the CD receives a child abuse report alleging that an employee of the district has abused a student, the CD will notify the superintendent (or the president of the school board in situations concerning the superintendent).

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 be shared only 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.

## Senate Bill 319

Dear Kirkwood School District Parent/Guardian,

As we begin this new school year, I am writing to share with you the specific expectations for reading achievement established by **Senate Bill 319** for all children in Missouri. Students in grades three through six are affected by this law in the following ways:

### Third Graders

- The reading level of students must be determined before the end of their third grade year.

### Fourth Graders

- An additional 30 hours of reading instruction must be offered outside of the regular school day to all fourth grade students reading more than one year below grade level. These students may be required to attend summer school.
- Students reading more than one year below grade level at the end of grade four will be required to attend summer school. If, by the end of summer school, they are still reading more than a year below grade level, they must be retained in the fourth grade and continue to receive additional reading instruction.

### Fifth and Sixth Graders

- Fifth and sixth grade students reading more than one year below grade level must:
  - (1) Be tested annually
  - (2) Have a reading intervention plan, and
  - (3) May be required to attend summer school
- If, by the end of sixth grade, a student is still reading more than one year below grade level, the law requires that this information be recorded in the student's permanent record file for as long as the student reads below grade level.

### Students who are exempt from Senate Bill 319 requirements:

- Students with disabilities receiving IEP based special education services;
- Students with Section 504 Accommodation Plans which specifically address reading;
- Students with Limited English Proficiency;
- Students whose cognitive ability appears to limit reading development.

The Kirkwood R-7 School District is committed to strong reading achievement on the part of all students. We are proud that most of our students score well on the reading portion of the Missouri Assessment Program (MAP test) as compared to other students in the state. It is also true that some students have not yet achieved the expected levels of reading achievement we seek for all. Therefore, we are committed to offering reading intervention services for all students, including those who are exempt from Senate Bill 319 requirements.

### In response to Senate Bill 319, the staff of Kirkwood R-7 School District will:

- Determine the reading levels of all students during the first quarter of each school year using a variety of reading assessments.
- Notify parents by the end of the first quarter if their child is identified as a below grade level reader.
- Develop an appropriate reading intervention plan for every below grade level reader and provide research-based and meaningful reading instruction.
- Monitor the reading progress of all students and keep parents informed about their child's development of reading skills.

If your child's instructional reading level is assessed to be more than one year below grade level, the literacy specialist or special education teacher will notify you of the recommended reading intervention services. Specific information about your child's reading achievement will be shared with you during parent conferences. Thank you for your on-going support as we work to provide the best for every R-7 student.

Sincerely,

Dr. Liz Grana  
Assistant Superintendent of Curriculum and Instruction

## House Bill 2379

The Kirkwood School District is committed to working with parents to meet the educational needs of every student. A variety of special services are available in our schools to assist students whose educational needs require supports beyond what is typically provided within the general classroom.

House Bill No. 2379 was passed in 2017 to ensure all school districts conduct early screening to identify children with deficits in basic reading skills or dyslexia.

In Kirkwood, we have been screening all students for basic reading skills starting with kindergarten for many years. When indicated, we conduct an in-depth evaluation for an understanding of each student's unique needs and provide interventions as appropriate.

We understand that dyslexia is an important issue for many parents, and we are always available to answer any questions you may have. Your child's classroom teacher is the first person you should contact for guidance on how we can best work together to support your child's educational needs. Other key building staff also include your child's counselor, school nurse, principal and/or assistant principal.

### **Public Notice (Special Education)**

All responsible public agencies are required to locate, evaluate, and identify children with disabilities who are under the jurisdiction of the agency, regardless of the severity of the disability, including children attending private schools; non-resident children attending a private school within the district; highly mobile children, such as migrant and homeless children; children who are wards of the state; and children who are suspected of having a disability and in need of special education even though they are advancing from grade to grade. The Kirkwood School District assures that it will provide a free, appropriate public education (FAPE) to all children eligible for services under the Individuals with Disabilities Education Act (IDEA) between the ages of 3 and 5 under its jurisdiction. Kirkwood School District, in partnership with the Special School District of St. Louis County (SSD) assures that it will provide a free, appropriate public education (FAPE) to all children eligible for services under IDEA between the ages of 5 and 21 under its jurisdiction. Disabilities include autism, deaf/blindness, emotional disorders, hearing impairment and deafness, intellectual disability, multiple disabilities, orthopedic impairment, other health impairments, specific learning disabilities, speech or language impairment, traumatic brain injury, visual impairment/blindness and young child with a developmental delay. The Special School District of St. Louis County (SSD) and the Kirkwood School District assure that they will provide information and referral services necessary to assist the State in the implementation of early intervention services for infants and toddlers eligible for the Missouri First Steps Program.

The Special School District of St. Louis County (SSD) and the Kirkwood School District assure that personally identifiable information collected, used, or maintained by the districts for the purposes of identification, evaluation, placement or provision of FAPE of children with disabilities may be inspected and/or reviewed by their parents/guardians. Parents/guardians may request amendment to the educational record if the parent/guardian believes the record is inaccurate, misleading, or violates the privacy or other rights of their child. Parents have the right to file complaints with the U.S. Department of Education or the Missouri Department of Elementary and Secondary Education concerning alleged failures by the district to meet the requirements of the Family Educational Rights and Privacy Act (FERPA).

The Special School District of St. Louis County (SSD) and the Kirkwood School District have developed a local Compliance Plan for implementation of State Regulations for the Individuals with Disabilities Education Act (IDEA). This Plan and School Board Policies contain the district's procedures regarding storage, disclosure to third parties, retention and destruction of personally identifiable information and the district's assurances that services are provided in compliance with General Education Provision Act (GEPA). This Plan is available for public review at the Special School District of St. Louis County (SSD) or the Kirkwood Central Office during regular school hours on days school is in session.

This notice will be provided in native languages as appropriate.  
(February 2020)

### **Public Notice (504)**

The Kirkwood School District, as a recipient of federal financial assistance from the United States Department of Education and operates a public elementary or secondary education program and/or activity, is required to undertake to identify and locate every qualified person residing in the District who is not receiving a public education; and take appropriate steps to notify disabled persons and their parents or guardians of the District's duty.

The Kirkwood School District assures that it will provide a free appropriate public education (FAPE) to each qualified disabled person in the District's jurisdiction regardless of the nature or severity of the person's disability. For purposes of Section 504 of the Rehabilitation Act of 1973, the provision of an appropriate education is the provision of regular or special and related aids and services that (i) are designed to meet individual educational needs of disabled persons as adequately as the needs of nondisabled persons are met and (ii) are based on adherence to procedures that satisfy the requirements of the 504 federal regulations. The Kirkwood School District has developed a 504 Procedures Manual for the implementation of federal regulations for Section 504 of the Rehabilitation Act, Subpart D. This Procedures Manual may be reviewed at the Administrative Services Center at 1099 Milwaukee Street, Kirkwood, MO 63122 or please call at 314-213-6100 ext. 7819. This notice will be provided in native languages as appropriate.

Kirkwood School District has school policies concerning Section 504 and students with disabilities. These policies are available on our website: [www.kirkwoodschoools.org](http://www.kirkwoodschoools.org)

1. [IGB Accommodation of Students with Disabilities](#)
2. [IGB-AP \(1\) Accommodation of Students with Disabilities – \(Section 504 and ADA Procedures\)](#)

### **Every Student Succeeds Act 2015 Required Parent Notifications**

Our district is required to inform you of information that you, according to the Every Student Succeeds Act of 2015 (Public Law 114-95), have the right to know.

Upon your request, our district is required to provide to you in a timely manner, the following information:

1. Whether your student's teacher has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
2. Whether your student's teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived.
3. Whether your student's teacher is teaching in the field of discipline of the certification of the teacher.
4. Whether your child is provided services by paraprofessionals and, if so, their qualifications.

In addition to the information that parents may request, a building receiving Title I.A funds must provide to each individual parent:

1. Information on the level of achievement and academic growth of your student, if applicable and available, on each of the State academic assessments required under Title I.A.
2. Timely notice that your student has been assigned, or has been taught for 4 or more consecutive weeks by, a teacher who has not met applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

Please contact your child's principal should you want to request this information.

### **Every Student Succeeds Act 2015 Complaint Procedures**

This guide explains how to file a complaint about any of the programs<sup>1</sup> that are administered by the Missouri Department of Elementary and Secondary Education (the Department) under the Every Student Succeeds Act of 2015 (ESSA)<sup>2</sup>

#### **Missouri Department of Elementary and Secondary Education Complaint Procedures for ESSA Programs**

#### **GENERAL INFORMATION**

##### **1. What is a complaint?**

For these purposes, a complaint is a written allegation that a local education agency (LEA) or the Missouri Department of Elementary and Secondary Education (the Department) has violated a federal statute or regulation that applies to a program under ESSA.

##### **2. Who may file a complaint?**

Any individual or organization may file a complaint.

##### **3. How can a complaint be filed?**

Complaints can be filed with the LEA or with the Department.

#### **COMPLAINTS FILED WITH LEA**

##### **4. How will a complaint filed with the LEA be investigated?**

Complaints filed with the LEA are to be investigated and attempted to be resolved according to the locally developed and adopted procedures.

##### **5. What happens if a complaint is not resolved at the local level (LEA)?**

A complaint not resolved at the local level may be appealed to the Department.

##### **6. How can a complaint be filed with the Department?**

A complaint filed with the Department must be a written, signed statement that includes:

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<sup>1</sup> Programs include Title I, A, B, C, D, Title II, Title III, Title IV.A, Title V Revised 4/17

<sup>2</sup> In compliance with ESSA Title VIII- Part C. Sec. 8304(a)(3)(C)

*Local education agencies are required to disseminate, free of charge, this information regarding ESSA complaint procedures to parents of students and appropriate private school officials or representatives.*



1. A statement that a requirement that applies to an ESSA program has been violated by the LEA or the Department, and
2. The facts on which the statement is based and the specific requirement allegedly violated.

### **COMPLAINTS FILED WITH THE DEPARTMENT**

#### **7. How will a complaint filed with the Department be investigated?**

The investigation and complaint resolution proceedings will be completed within a time limit of forty-five calendar days. That time limit can be extended by the agreement of all parties.

The following activities will occur in the investigation:

1. **Record.** A written record of the investigation will be kept.
2. **Notification of LEA.** The LEA will be notified of the complaint within five days of the complaint being filed.
3. **Resolution at LEA.** The LEA will then initiate its local complaint procedures in an effort to first resolve the complaint at the local level.
4. **Report by LEA.** Within thirty-five days of the complaint being filed, the LEA will submit a written summary of the LEA investigation and complaint resolution. This report is considered public record and may be made available to parents, teachers, and other members of the general public.
5. **Verification.** Within five days of receiving the written summary of a complaint resolution, the Department will verify the resolution of the complaint through an on-site visit, letter, or telephone call(s).
6. **Appeal.** The complainant or the LEA may appeal the decision of the Department to the U.S. Department of Education.

#### **8. How are complaints related to equitable services to nonpublic school children handled differently?**

In addition to the procedures listed in number 7 above, complaints related to equitable services will also be filed with the U.S. Department of Education, and they will receive all information related to the investigation and resolution of the complaint. Also, appeals to the United States Department of Education must be filed no longer than thirty days following the Department's resolution of the complaint (or its failure to resolve the complaint).

### **APPEALS**

#### **9. How will appeals to the Department be investigated?**

The Department will initiate an investigation within ten days, which will be concluded within thirty days from the day of the appeal. This investigation may be continued beyond the thirty day limit at the discretion of the Department. At the conclusion of the investigation, the Department will communicate the decision and reasons for the decision to the complainant and the LEA. Recommendations and details of the decision are to be implemented within fifteen days of the decision being delivered to the LEA.

#### **10. What happens if a complaint is not resolved at the state level (the Department)?**

The complainant or the LEA may appeal the decision of the Department to the United States Department of Education.

## **Trauma-Informed Schools Initiative**

Pursuant to Missouri Senate Bill 638, Section 161.1050, the Missouri Department of Elementary and Secondary Education (DESE) has established the "Trauma-Informed Schools Initiative." For more information, please visit <https://dese.mo.gov/college-career-readiness/school-counseling/traumainformed>.

## **Annual Notifications/Student Records - FERPA**

The protection of student rights has always been a top priority of the Kirkwood School District. This document is distributed annually to all parents and students in order to comply with state and federal requirements to notify the parents/guardians and eligible students of their rights with respect to the student's educational records.

In general, a student's educational record includes any information maintained by the school district, which contains information directly related to a student. A major exception would be a personal record kept by a staff member if it is kept in the sole possession of the maker of the record and is not accessible or revealed to any other person except a temporary substitute for the maker of the record.

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records. Parents or eligible students should submit to the school principal a written request that identifies, as precisely as possible, the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading. Parents or eligible students may ask the school to amend a record that they believe is inaccurate or misleading or in violation of the student's privacy. They should write the principal or appropriate official, clearly identify the part of the record they want to change and specify why it is inaccurate or misleading. If the school decides not to amend the record as

requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment.

3. The right to consent to disclosure of personally identifiable information contained in the student's education records except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member; a person serving on the School Board; a person or company with whom the school has contracted to perform a special task; or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the school discloses education records without consent to officials of another student district in which a student seeks or intends to enroll.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school with the requirements of FERPA. The name and address of the office that administers FERPA is the Family Policy Compliance Office U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-4605.
5. Directory Information may be released by school officials. This includes print and electronic publications of the school district that, if disclosed, would not be considered as determined by the Kirkwood School District as harmful or an invasion of privacy. This information may be released without prior written consent to parent and student organizations for marketing purposes; such as for "buzz" books produced in the fall, and to outside organizations including, but not limited to, companies that manufacture class rings or publish yearbooks in the spring. In addition two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories – names addresses and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent. Such information is also considered a "public record" which must be released upon demand to any person who requests it, under the Missouri Sunshine Law. If a parent, guardian, person acting as a student's parent in absence of a parent or guardian, or the student (if 18 or older), does not want the district to release the information listed below, they must notify the district in writing within 10 days of receiving this notification of the information they do not want released.

The following "Directory Information" may be released without obtaining parental consent:

*Student's name, parent's name, address, telephone number, electronic mail address, date and place of birth, grade level, major field of study, enrollment status, participation in officially recognized activities and sports, photographs, weight and height of members of the athletic teams, dates of attendance, degrees, honors, awards received, most recent previous school attended.*

The district has determined that the Voluntary Interdistrict Choice Corporation (VICC) and its officers, employees and agents are school officials with legitimate educational interests because they act for and on behalf of the district with respect to transfer students and the transfer program, and because they seek to advance the interest of both. A transfer student's attendance records and other educational records relevant to the student's participation in the program or to the program itself may accordingly be disclosed to VICC without obtaining written consent from the parent/guardian or eligible student.

The Assistant Superintendent of Student Services has district-wide responsibility for student educational records and, as such, is the custodian of the records. Anyone having questions regarding school policy relating to student records is welcome to contact the Assistant Superintendent of Student Services at:

Address: 1099 Milwaukee Street, Kirkwood, MO 63122  
Phone: 314-213-6100 ext. 7819  
E-mail: [matt.bailey@kirkwoodschoools.org](mailto:matt.bailey@kirkwoodschoools.org)

### **Protection of Pupil Rights Amendment (PPRA)**

The Protection of Pupil Rights Amendment (PPRA) (20 U.S.C. § 1232h; 34 CFR Part 98) applies to programs that receive funding from the U.S. Department of Education (ED). PPRA is intended to protect the rights of parents and students in two ways:

1. It seeks to ensure that schools and contractors make instructional materials available for inspection by parents if those materials will be used in connection with an ED-funded survey, analysis, or evaluation in which their children participate; and
2. It seeks to ensure that schools and contractors obtain written parental consent before minor students are required to participate in any ED-funded survey, analysis, or evaluation that reveals information concerning:
  1. Political affiliations;
  2. Mental and psychological problems potentially embarrassing to the student and his/her family;
  3. Sex behavior and attitudes;
  4. Illegal, anti-social, self-incriminating and demeaning behavior;
  5. Critical appraisals of other individuals with whom respondents have close family relationships;
  6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;or

7. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Parents or students who believe their rights under PPRA may have been violated may file a complaint with ED by writing the Family Policy Compliance Office. Complaints must contain specific allegations of fact giving reasonable cause to believe that a violation of PPRA occurred.

For additional information or technical assistance, you may call (202) 260-3887 (voice). Individuals who use TDD may call the Federal Information Relay Service at 1-800-877-8339. Or you may contact us at the following address:

**Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5920**

### **Reproduction of Copyrighted Materials (KSD Policy EGAAA)**

#### Policy EGAAA

*Last Revised Date: 05/05/2003*

It is the intent of the Board to abide by the provisions of current copyright and intellectual property laws as they affect the school district and its employees. The superintendent or designee will create procedures to train employees on the law and monitor district compliance.

Copyrighted materials, whether they are print or nonprint, will not be duplicated, reproduced, distributed or displayed for district-sponsored activities or by using district equipment except in accordance with law. Details about "fair use" and other relevant information regarding copyright law will be made available to all employees. A summary of these standards will be posted or otherwise made easily available at each machine used for making copies.

The Board does not sanction or condone illegal duplication, reproduction or distribution in any form. It is the responsibility of all district staff to notify the superintendent or designee of any potential violation of law or policy. Once notified of a violation, the superintendent or designee will take reasonable steps to remedy the violation. Employees who violate this policy may be disciplined or terminated. Students who violate this policy may be disciplined. All persons who use district resources in violation of law may be prohibited from using district resources in the future and will assume liability for their actions. The district may also seek other legal remedies.

#### **Copyright Infringement Using District Technology**

All persons are prohibited from using district technology in violation of any law including copyright law. Only appropriately licensed programs or software may be used with district technology. Further, no person will use the district's technology to post, publicize or duplicate information in violation of copyright law. The Board directs the superintendent and/or designee to take all reasonable measures to prevent the use of district technology in violation of the law. All persons using district technology in violation of law may lose their user privileges in addition to other sanctions.

If a content owner reasonably believes that the district's technology has been used to infringe upon a copyright, the owner is encouraged to notify the following designated agent immediately:

Assistant Superintendent of Curriculum and Instruction  
Kirkwood School District R-VII  
1099 Milwaukee Street  
Kirkwood, MO 63122-1122  
Phone: 314-213-6101

The district will notify the U.S. Copyright Office of the designated agent's identity. Further, the district's website will include information on how to contact the district's designated agent and a copy of the district's copyright policy. Upon notification, the district's designated agent will take all actions necessary to remedy any violation. The district will provide the designated agent appropriate training and resources necessary to protect the district.

## Technology Usage (KSD Policy EHB)

### [Policy EHB](#)

*Last Reviewed Date: 06/28/2021*

The Kirkwood R-VII 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* – 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* – 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)* – 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, intranet and Internet access.

*Password* – 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 intranet, Internet or network drives. By using the district's network and technology resources, all users consent to having their electronic communications and all other use monitored by the district. A user ID with e-mail 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 ("content filter") 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, 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 non-student 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.

The superintendent or designee will create a procedure that allows students, employees or other users to request that the district review or adjust the content filter to allow access to a website or specific content.

### **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.

### **Inventory and Disposal**

The district will regularly inventory all district technology resources in accordance with the district's policies on inventory management. Technology resources that are no longer needed will be disposed of in accordance with law and district policies and procedures related to disposal of surplus property.

### **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.

## **Parents and Family Involvement and Engagement (KSD Policy IGBC)**

### [Policy IGBC](#)

*Last Revised Date: 10/08/2018*

The Kirkwood School District Board of Education believes that engaging parents and families in the education process is essential to improved academic success for students. The Board recognizes that a student's education is a responsibility shared by the district, parents, families and other members of the community.

For the purposes of this policy, "parent" means a parent, guardian or person acting as a parent in the absence of the parent.

### **Missouri Parent and Family Involvement and Engagement Goals**

The Board of Education recognizes the importance of both eliminating barriers that impede parent and family involvement and facilitating an environment that encourages collaboration with parents, families and other members of the community. Therefore, the district, pursuant to state law and in collaboration with the State Board of Education, education personnel, local associations, and organizations of parents of district students, will develop and implement a policy to facilitate parent and family involvement and engagement that shall include the following six goals:

1. Promote regular, two-way, meaningful communication between home and school.
2. Promote and support responsible parenting.
3. Recognize the fact that parents and families play an integral role in assisting their children to learn.
4. Promote a safe and open atmosphere for parents and families to visit the schools their children attend, and actively solicit parent and family support and assistance for school programs.
5. Include parents as full partners in decisions affecting their children and families.
6. Use available community resources to strengthen and promote school programs, family practices and the achievement of students.

### **Title I Program Parent and Family Involvement and Engagement**

#### ***District Policy***

The district and parents and family members of students participating in the Title I Part A program will jointly develop and agree upon a written parent and family involvement and engagement policy for the district that will establish the district's expectations and objectives for meaningful parent and family involvement and describe how the district will:

1. Involve parents and family members in the joint development of the Title I program plan. Parents and family members will also be involved in the development of support and improvement plans as required by law.
2. Provide the coordination, technical assistance and other support necessary to assist and build the capacity for all Title I schools in planning and implementing effective parent and family involvement and engagement activities to improve student academic achievement and school performance, which may include meaningful consultation with employers, business leaders and philanthropic organizations or individuals with expertise in effectively engaging parents and family members in education.
3. Coordinate and integrate Title I parent and family involvement and engagement strategies, to the extent feasible and appropriate, with other federal, state and local laws and programs.
4. Conduct, with the meaningful involvement of parents and family members, an annual evaluation of the content of the parent and family involvement and engagement policy and its effectiveness in improving the academic quality of the schools served. The district will use the findings of the evaluation to design strategies for more effective parent and family involvement and engagement and to revise, if necessary, the parent and family involvement and engagement policies. The evaluation will include identifying:
  - Barriers to greater participation by parents in activities authorized by law, particularly by parents who are economically disadvantaged, have disabilities, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background.
  - The needs of parents and family members to assist with their students' learning, including engagement with school personnel and teachers.
  - Strategies to support successful school and family interactions.

5. Involve parents in the activities of the schools served, which may include establishing a parent advisory board composed of parents and family members who adequately represent the needs of the population served by the district. If created, the parent advisory board would be tasked with developing, reviewing and revising this policy.

### ***School Policy***

Each school receiving Title I Part A funds and the parents and families of the students in the school will jointly develop and agree upon a written parent and family involvement and engagement policy for the school. In accordance with the requirements of federal law:

1. The policy must be made available to the local community and distributed to parents in an understandable and uniform format. To the extent practicable, the policy shall be provided in a language the parents understand.
2. The policy shall be reviewed annually and updated as needed to meet the changing needs of the parents, families and school.

Each school participating in the Title I Part A program will:

1. Convene an annual meeting, at a convenient time, to which all parents of participating students will be invited and encouraged to attend. The purpose of the meeting is to inform parents about the school's involvement in the Title I program, the requirements of Title I and the right of parents to be involved. The school will offer a flexible number of meetings, such as meetings in the morning or evening, and may provide transportation, childcare or home visits as those services relate to parent involvement.
2. Involve parents in an organized, ongoing and timely way in the planning, review and improvement of Title I Part A programs, including the parent and family involvement and engagement policy and the joint development of a schoolwide program plan. The schoolwide plan will include both positive and negative comments on the Title I Part A program from parents of participating students.
3. Provide parents of participating students:
  - Timely information about Title I programs.
  - A description and explanation of the curriculum.
  - The forms of academic assessment used to measure student progress.
  - The achievement levels of the Missouri Learning Standards (MLS).
  - Opportunities, if requested by parents, for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children.
  - Timely responses to suggestions.
4. Work jointly with parents of students in the program to develop a school-parent compact that outlines how parents, the entire school staff and students will share responsibility for improved academic achievement and the means by which the school and parents will build and develop a partnership to help students achieve the MLS. The compact will:
  - Describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the students served under Title I to meet the MLS.
  - Identify ways in which each parent will be responsible for supporting his or her student's learning, such as monitoring attendance, homework completion, and television watching; volunteering in the student's classroom; and participating, as appropriate, in decisions relating to the education of the student and the positive use of extracurricular time.
  - Address the importance of communication between teachers and parents on an ongoing basis through, at a minimum, parent-teacher conferences in elementary schools at least annually during which the compact shall be discussed as it relates to the individual student's achievement; frequent reports to parents on their student's progress; reasonable access to staff; opportunities to volunteer and participate in their student's class; observation of classroom activities; and ensuring regular, two-way, meaningful communication among family members and school staff that, to the extent practicable, is in a language the family members can understand.

### ***Building Capacity for Involvement***

The district and each Title I school will support a partnership among the Title I school, parents and community members and ensure effective involvement and engagement of parents by:

1. Providing parents of students served with assistance in understanding topics such as the MLS, local assessments and the requirements of Title I; how to monitor a student's progress; and how to work with teachers to improve the performance of their student.
2. Providing parents the training and materials necessary to improve their student's achievement, such as literacy and technology use training, including information about the harms of copyright piracy, as appropriate to foster parental involvement and engagement.
3. Educating, with parental assistance, all school personnel on:
  - Valuing parent contributions.
  - Reaching out to and communicating and working with parents as equal partners.
  - Implementing and coordinating parent programs.
  - Building ties between parents and the school.
4. To the extent feasible and appropriate, coordinating and integrating parent involvement and engagement programs and activities with other federal, state and local programs, including public preschool programs, and conducting other activities, such as parent resource centers, to encourage and support parents in more fully participating in the education of their student.

5. Ensuring that information related to school and parent programs, meetings and other activities is sent to the parents of Title I students in a format and, to the extent practicable, in a language parents can understand.
6. Providing other reasonable support for parental involvement and engagement activities as parents may request.

### **Accessibility**

To the extent practical, the district must provide opportunities for the informed participation of parents and family members, including parents and family members who have limited English proficiency, parents and family members with disabilities and parents and family members of migratory students. Information and school reports will be provided in a format and, to the extent practicable, in a language the parents understand.

### **Policy Evaluation**

The district and each school receiving Title I funds will, with parent and family involvement, review and evaluate the content and effectiveness of parent and family involvement policies at least annually. The district will use the findings of such evaluation to design strategies for more effective parental involvement and engagement and to revise, if necessary and in collaboration with parents, the parent and family involvement and engagement policies.

### **English Learner (EL) and Migrant Education Program (MEP) Parent and Family Involvement and Engagement**

The Board also recognizes the special importance of parent and family involvement and engagement to the success of its EL and MEP programs. Pursuant to federal law, the district and parents will jointly develop and agree upon a written parental involvement and engagement policy that will be distributed to parents of students participating in any of these programs. The provisions of this policy shall apply to parents and families of EL and migratory students to the same extent as they apply to parents and families of other students.

Involvement for parents and families of students in the EL and MEP programs is addressed in more detail in the policies specific to those programs.

## **Surveying, Analyzing or Evaluating Students (KSD Policy JHDA)**

### [Policy JHDA](#)

*Last Revised Date: 12/05/2005*

### **Inspection**

Any parent may inspect, upon request, any instructional material used as part of the educational curriculum and all instructional materials, including teachers' manuals, films, tapes, software or other supplementary material, that will be used in connection with any survey, analysis or evaluation as part of any applicable program. Further, a parent may inspect, upon request, a survey created by a third party before the survey is administered or distributed by a school to a student. The term "instructional material" does not include academic tests or academic assessments.

In general, the district will not collect, disclose or use personal student information for the purpose of marketing or selling that information or otherwise providing the information to others for that purpose. In the rare case where the district may collect information from students for the purpose of marketing or selling that information, parents may inspect any instrument used before the instrument is administered or distributed to a student, upon request and in accordance with Board policy.

### **Consent Required**

In accordance with law, no student, as part of any program wholly or partially funded by the U.S. Department of Education, shall be required to submit to a survey, analysis or evaluation (hereafter referred to as "protected information survey") that reveals any of the following information without written consent of a parent:

1. Political affiliations or beliefs of the student or the student's parent.
2. Mental or psychological problems of the student or the student's family.
3. Sex behavior or attitudes.
4. Illegal, anti-social, self-incriminating or demeaning behavior.
5. Critical appraisals of other individuals with whom respondents have close family relationships.
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers.
7. Religious practices, affiliations or beliefs of the student or the student's parent.
8. Income other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

### **Notice and Opportunity to Opt Out**

In accordance with law, parents will receive prior notice and an opportunity to opt a student out of:

1. Any other protected information survey, as defined above, regardless of the funding source.
2. Any nonemergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent and not necessary to protect the immediate health and safety of a student, or any physical exam or screening permitted or required under state law, except for hearing, vision or scoliosis screenings.



3. Activities involving the collection, disclosure or use of personal information obtained from students for marketing, selling or otherwise distributing information to others.

The district will directly notify parents at the beginning of the school year of the specific or approximate dates during the school year when the above-listed activities will occur or are expected to be scheduled.

#### **Notification of Policy and Privacy**

In accordance with law, parents will be directly notified of this policy at least annually at the beginning of the school year and within a reasonable period of time after any substantive change in the policy.

The district will take measures to protect the identification and privacy of the students participating in a protected information survey, regardless of the source of funding. These measures may include limiting access to the completed surveys and the survey results as allowed by law. All student educational records will be protected in accordance with law and Board policy JO.

The provisions of this policy applicable to parents will transfer to a student who is 18 years old or emancipated.

## **Audio and Visual Recording (KSD Policy KKB)**

### [Policy KKB](#)

*Last Reviewed Date: 06/27/2022*

#### **Definitions**

*Audio Recording* – Registering sounds on tape, digitally or by other mechanical or electronic means.

*Recording* – For the purposes of this policy, "recording" means audio and visual recording.

*Visual Recording* – Registering visual images on film, tape, digitally or by other mechanical or electronic means.

#### **General Rule**

The district may create audio and visual recordings on district property, on district transportation or at district activities for:

1. Providing security;
2. Maintaining order;
3. Professional staff development;
4. Educational purposes; and
5. Other purposes related to furthering the educational mission of the district.

However, because the district predominantly serves minors, is subject to a number of confidentiality laws, respects parent/guardian and community privacy concerns and seeks to minimize disruption to the education environment, the district prohibits other persons or entities from making audio or visual recordings unless authorized in this policy.

#### **Administrator Authority**

The superintendent or designee has the authority to authorize audio and visual recording on district property or at a district activity. Likewise, even if recording is authorized under this policy, the superintendent or designee may prohibit any person or entity from recording:

1. To protect privacy interests;
2. To comply with copyright or other licensing or intellectual property limitations;
3. If the recording creates a disruption to the education or working environment;
4. If the recording is done in a location where a person may be in a state of undress; or
5. For other legitimate reasons as determined by the superintendent or designee.

#### **Board Meetings, Performances and Activities Open to the General Public**

The district allows audio and visual recording at performances, events and activities that the general public is invited to attend (such as athletic competitions, concerts and plays, open board meetings and board committee meetings) as long as district guidelines applicable to those events are followed and unless recording is prohibited by licensing or other intellectual property laws.

**Events Sponsored by Individuals or Entities Authorized to Rent or Use District Facilities**

The district may allow audio and visual recording of events or activities sponsored by an outside entity authorized to use or rent district facilities if permitted by the event sponsor.

**Research and Educator Preparation**

With permission from the superintendent or designee, staff and students may be recorded for research purposes or by preservice education professionals for evaluation purposes. Consent from all relevant parties must be secured when required by law.

**Recording by the Media**

The media may make audio or visual recordings on district property or at district events as authorized by the superintendent or designee.

**Recording by Students**

In addition to other recording authorized in this policy, students may make audio and visual recordings on district property or at district activities if allowed by a teacher or activity sponsor as part of the class or activity or as permitted by the principal, superintendent or designee. Students may be disciplined, excluded from district activities and prohibited from attending with a phone or other recording device if the student makes recordings in violation of this policy and other district rules regarding recording.

**Recordings by Parents/Guardians or Family Members of Students**

In addition to other recording authorized in this policy, parents/guardians or family members of students may be allowed to record performances or events to which only parents/guardians or family members are invited, such as family nights and graduation celebrations, at the discretion of the principal, superintendent or designee. However, the recording must respect the privacy of other students and families present.

**Recording by District Employees and Agents**

District employees and agents may make and use audio or visual recordings for professional staff development use, for educational purposes or for other purposes related to furthering the educational mission of the district when authorized by the principal, superintendent or designee. Otherwise, recording is prohibited. Recordings obtained while acting as a district employee or agent may not be used for personal purposes or posted on social media unless authorized by a supervisor.

**Recording Meetings**

In general, the district prohibits the recording of employee meetings and meetings between employees and parents/guardians unless authorized by the superintendent or designee.

**Recording Meetings under the IDEA or Section 504**

A student's parent or legal guardian may audio record any meeting about the student held under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973, including individualized education program (IEP) and Section 504 meetings. The parent or legal guardian seeking to record must notify the district at least 24 hours prior to the time the meeting is scheduled to occur. Recordings made by the parent/guardian will remain the property of the parent/guardian, but the district may make its own recording. Everyone present during a recorded meeting must be notified that the meeting is being recorded unless the recording is done in such a manner that it is obvious to those present that the meeting is being recorded.

**Undisclosed Recording or Transmitting**

The district prohibits undisclosed recordings where persons involved do not consent to the recording and it is not otherwise obvious that recording equipment is present or being used, unless the superintendent or designee determines in rare circumstances that such recordings are necessary for security reasons. The district prohibits the simultaneous electronic transmission of any conversation by any person to a third party without the consent of all involved in the conversation even if the conversation is not recorded.

**Use of Unmanned Aircraft Systems**

Anyone seeking to operate unmanned aircraft systems (UAS) on or over district property or at a district event must receive authorization from the superintendent or designee. Authorization will be granted only when such operation is on behalf of the district, supports the mission of the district or otherwise serves a public purpose.

All UAS with the potential to capture or produce visual images of district property or district events must be operated in accordance with applicable Federal Aviation Administration regulations or safety guidelines.

## Public Concerns and Complaints

### (KSD Policy KL)

#### [Policy KL](#)

*Last Reviewed Date: 01/16/2018*

The Kirkwood School District is interested in resolving concerns and hearing complaints from the public regarding district programs and services so that they may be improved and better meet the needs of the students and the community.

The district encourages parents/guardians, students and other members of the public to first discuss concerns with the appropriate district staff prior to bringing the issue to the Board so that the issue may be thoroughly investigated and addressed in a timely fashion. The Board will not act on an issue without input from the appropriate district staff and may require a parent/guardian, patron or student to meet with or discuss an issue with district staff prior to hearing a complaint or making a decision on the matter.

All district employees are expected to answer questions, receive input and professionally address concerns and complaints of parents/guardians, students and other members of the public. If an employee is unable to answer a question or resolve an issue, the employee must direct the person or the question to the appropriate district employee.

#### **Complaint Process**

Complaints regarding district compliance with nondiscrimination laws will be processed according to policy AC. Employee grievances will be processed in accordance with the established employee grievance procedure or as otherwise required by law. Complaints involving federal programs will be processed in accordance with policy KLA. Other grievances or complaints for which there is a specific policy or procedure will be addressed pursuant to that policy or procedure. If no other policy or procedure applies, the complaint may be brought as described below.

#### **Process for Resolving a Concern or Complaint**

The following steps are to be followed by parents/guardians, students or the public when concerns or complaints arise regarding the operation of the school district that cannot be addressed through other established policies or procedures.

1. Concerns or complaints should first be addressed to the teacher or employee directly involved.
2. Unsettled matters from (1) above or concerns or complaints regarding individual schools should be presented in writing to the principal of the school. The principal will provide a written response to the individual raising the concern ("complainant") within five business days of receiving the complaint or concern unless additional time is necessary to investigate or extenuating circumstances exist.
3. Unsettled matters from (2) above or concerns or complaints regarding the school district in general should be presented in writing to the appropriate assistant superintendent. The assistant superintendent will provide a written response to the complainant within five business days of receiving the concern or complaint, unless additional time is necessary to investigate or extenuating circumstances exist.
4. Unsettled matters from (3) above, or problems and questions concerning the school district, should be presented in writing to the superintendent. The superintendent will provide a written response to the complainant within five business days of receiving the complaint or concern.
5. If the matter cannot be settled satisfactorily by the superintendent, a member of the public may request that the issue be put on the Board agenda, using the process outlined in Board policy. Such requests must be submitted at least seven days in advance of a scheduled meeting of the Board. Written comments submitted to the superintendent or the secretary of the Board that are directed to the Board will be provided to the entire Board. The Board is not obligated to address a complaint. If the Board decides to hear the issue, the Board's decision is final. Otherwise, the superintendent's decision on the issue is final.

If either of the parties involved wishes the hearing to be held in executive session (closed meeting), he or she shall so state in writing. The Board, at its discretion, may grant the request for an executive session if allowed by law.

Anyone wishing more information about how complaints are resolved may contact the Executive Director of Student Services for the Kirkwood School District or the Missouri Department of Elementary and Secondary Education.

#### **Prohibition against Retaliation**

The Board strictly prohibits discrimination or retaliation against any person for bringing a concern to the attention of the district or participating in the complaint process. This prohibition extends to relatives and others associated with the person who brought the concern or complaint. The Board directs all district employees to cooperate in investigations of complaints.

## Public Concerns and Complaints Regarding Federal Programs (KSD Policy KLA)

### [Policy KLA](#)

*Original Adopted Date: 01/16/2018*

The Kirkwood School District receives funds under the federal Elementary and Secondary Education Act (ESEA) and is required to follow federal statutes and regulations regarding the programs governed by the ESEA. If any individual or organization (person) has a complaint or is concerned that the district may be violating these laws, the Board wants the superintendent or designee to immediately investigate and address the issue. For that reason, the Board has adopted this policy to address specific allegations of violations of federal statutes and regulations governing Title I, Parts A, B, C, D; Title II; Title III; Title IV, Part A; or Title V of the ESEA.

#### **Process**

The district will use the following process to address specific allegations that the district has violated a federal statute or regulation regarding a program under the ESEA:

1. The person with the complaint ("complainant") must present a written complaint to the superintendent or designee that specifies the federal law or regulation alleged to have been violated and the facts supporting the allegation. Alternatively, the Department of Elementary and Secondary Education (DESE) will forward a complaint from a complainant to the district for resolution.

The superintendent or designee will investigate and provide a written response to the complainant within five business days of receiving the complaint unless additional time is necessary to investigate or extenuating circumstances exist. The superintendent or designee is authorized to contact the district's private attorney for assistance in determining whether a violation has occurred.

2. If the complainant is not satisfied, he or she may request that the issue be placed on the Board agenda at the next Board meeting, using the process outlined in Board policy.

The superintendent or designee will notify the complainant of the Board's decision and will provide the complainant a copy of DESE's Every Student Succeeds Act of 2015 (ESSA) Complaint Procedures.

3. If the Board does not hear the issue or if the complainant is not satisfied with the Board's response, the complainant may appeal the issue to DESE in accordance with DESE's complaint procedures.

#### **Documentation and Release of Information**

The district will maintain a copy of the complaint, a written record of the investigation and documentation of any written resolution, when applicable, in accordance with law. The superintendent or designee will complete a written summary of the investigation and, if a violation has occurred, a description of how the matter was resolved. If the complaint was first filed with DESE, the written summary must be completed within 35 calendar days of the complaint being filed with DESE and must be submitted to DESE.

The summary will be released upon request when required by law. The superintendent or designee will have the district's attorney review the documents before they are released to DESE, the complainant or any other person to protect the confidentiality of legal advice.

#### **Prohibition against Retaliation**

The Board strictly prohibits discrimination or retaliation against any person for bringing a concern to the attention of the district or participating in the complaint process. This prohibition extends to relatives and others associated with the person who brought the concern or complaint. The Board directs all district employees to cooperate in investigations of complaints.

## Use of Tobacco Products and Imitation Tobacco Products (KSD Policy AH)

### [Policy AH](#)

*Last Reviewed Date: 04/04/2022*

#### **Policy Application**

The board of education's most important priority is the health, safety and welfare of district students. Given the rising rates of tobacco use among district students and the demonstrated links between tobacco use and disease, the district seeks to provide its students, parents, staff and visitors a tobacco-free environment. The significant, predictable health risks of tobacco use and secondhand smoke exposure are well established, as are the associated costs of tobacco-related disease.

Therefore, the district prohibits all employees, students and visitors from using, possessing, smoking, vaping, consuming, displaying, promoting or selling any tobacco products, imitation tobacco products, vaping products or tobacco-related devices in all district facilities, on district transportation, on all district grounds at all times and at any district-sponsored event or activity while

off campus. This prohibition extends to all facilities the district owns, contracts for or leases to provide educational services, routine healthcare, daycare or early childhood development services to children.

This policy has been formulated to:

1. Provide a clear, concise stipulation that the district is a tobacco-free environment;
2. Reflect and emphasize the hazards of tobacco use;
3. Demonstrate commitment to smoke and tobacco-free environments beyond standards prescribed in § 191.775, RSMo.;
4. Protect the health and safety of all students, employees and the general public; and
5. Set a non-tobacco use example by all adults.

### **Definitions**

*Imitation Tobacco Product* – Any edible or nonedible nontobacco product designed to resemble a tobacco product intended to be used by children as a toy. Imitation tobacco products include, but are not limited to, chocolate cigarettes, bubble gum cigars, shredded bubble gum resembling chewing tobacco, pouches containing flavored substances packaged similarly to snuff, and shredded beef jerky in containers resembling snuff tins.

*Smoking/Vaping* – Inhaling, exhaling, burning or carrying any lit or heated cigar, cigarette, pipe or any other lighted or heated product that contains, is made of, or is derived from a natural or synthetic form of nicotine, tobacco or other plants and that is intended for inhalation. Smoking/Vaping also includes carrying or using an activated electronic smoking device.

*Tobacco Product* – 1) Any product, whether synthetic or natural, that contains, is made of, or is derived from tobacco or nicotine that is intended for human consumption by chewing, smoking, absorbing, dissolving, inhaling, snorting, sniffing or ingesting by any other means. 2) Any component, part or accessory of a tobacco product including, but not limited to, cigarettes; electronic smoking devices; cigars; little cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; Cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps; clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco.

*Tobacco-Related Devices* – Ash trays, rolling papers, wraps or pipes for smoking and any components, parts or accessories of electronic smoking devices.

*Vapor Product* – Any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit or electronic, chemical or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form. Vapor product includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or similar product or device and any vapor cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic pipe or similar product or device. Vapor product does not include any alternative nicotine product.

### **Smoking Cessation Products**

This policy does not prohibit adults from possessing and using products approved by the U.S. Food and Drug Administration for smoking cessation. Students may possess and use those products as allowed under policy JHCD.

### **Signage**

Appropriate signage reflecting the content of this policy will be posted throughout the district at building entrances and other highly visible locations in all school buildings, indoor and outdoor athletic facilities and district-owned transportation.

### **Consequences**

Students and employees who violate this policy will be disciplined in accordance with applicable board policies and may be offered referrals to smoking cessation programs. Employees may be disciplined or terminated for repeated violations. Visitors may be excluded from district property.

## **Student Conduct on School Transportation (KSD Policy JFCC-AP)**

[Policy JFCC-AP](#)

*Last Revised Date: 06/21/2005*

All persons riding in school district vehicles shall adhere to the following rules. The driver, sponsor or chaperones are to follow the school bus discipline procedure for student violations of this procedure, and students who violate these rules may be denied access to school transportation for a specified period of time in relation to the severity of the violation. Video cameras may be in operation on the school buses.

1. Approach bus stops carefully.
2. Bus riders shall be at the designated loading point before the bus arrival time. Students should be considerate of others' property while waiting for the bus.
3. Bus riders shall wait until the bus comes to a complete stop before attempting to enter.

4. Riders must not extend arms, heads or other body parts out of the windows at any time.
5. Students should help keep buses clean; aisles must be kept cleared at all times.
6. All bus riders shall load and unload through the right front door. The emergency door is for emergencies only.
7. A bus rider will depart from the bus at the designated point unless written permission to get off at a different location is given to the driver.
8. A rider may be assigned a seat by the driver.
9. Students should treat bus equipment with respect. Riders who damage seats or other equipment will reimburse the district for the cost of the repair or replacement.
10. Riders are not permitted to leave their seats while the vehicle is in motion.
11. Permission to open windows must be obtained from the driver.
12. Classroom conduct is to be observed by students while riding the bus except for ordinary conversation.
13. The driver is in charge of the students and the vehicle, and the driver is to be obeyed promptly and courteously. Students should not distract the driver in any way.
14. Students should observe all traffic rules. A bus rider who must cross the roadway to board or depart from the bus shall pass in front of the bus (no closer than 10 feet), look in both directions and proceed to cross the road or highway only on signal from the driver.
15. Students shall not throw objects about the vehicle nor out the windows or doors.
16. Students shall keep feet off the seats.
17. The student discipline code will apply to students using school transportation services. This includes conduct occurring at or in the close vicinity of a bus stop while students are waiting for the bus, or immediately after the students have disembarked.

## Student Conduct on School Transportation

(KSD Policy JFCC-R1)

### [Policy JFCC-R1](#)

*Last Reviewed Date: 06/21/2005*

The following disciplinary guidelines represent various infractions and their consequences. They represent the school district's position that our school buses are an extension of our school.

#### **Level of Misconduct: Level I**

Misbehavior that causes distractions and annoyances and may impede orderly operation of the school bus.

##### Examples

1. Failure to remain seated
2. Abuse of a bus pass
3. Bothering others
4. Loud or undue noise
5. Eating or drinking on the bus
6. Spitting on the bus
7. Other

##### Consequences

*First Offense:* Parent contacted, warning, after-school detention.

*Second Offense:* Parent contacted, 1-3 day suspension from bus, plus after-school detention.

*Third Offense:* Parent contacted, 3-5 day suspension from bus.

#### **Level of Misconduct: Level II**

Misbehavior of sufficient frequency or seriousness to disrupt the normal operations of the school bus.

##### Examples

1. Failure to obey drivers
2. Use of profanity and/or obscene gestures
3. Throwing objects on bus
4. Sticking head or hands out of windows
5. Splitting out the window
6. Vandalism less than \$50
7. Lighting matches, cigarette, lighters, etc.
8. Other

##### Consequences

*First Offense:* Parent contacted, 1-3 day suspension from bus

*Second Offense:* Parent contacted, 3-5 day suspension from bus

*Third Offense:* Parent contacted, 5-10 day suspension from bus and/or OSS.

#### **Level of Misconduct: Level III**

Misbehavior that poses a direct threat to safety and welfare of others.

##### Examples

1. Fighting

2. Smoking on bus
3. Throwing objects out of bus
4. Vandalism more than \$50
5. Abusive language and/or threatening the bus driver
6. Other

#### Consequences

*First Offense:* Parent contacted, 3-5 day suspension from bus, and/or OSS, possible police contact.

*Second Offense:* Parent contacted, 5-10 day suspension from bus, and/or OSS, possible police report.

*Third Offense:* Parent contacted, 10-30 day suspension from bus and/or OSS, police report.

#### **Level of Misconduct: Level IV**

Misbehavior that is a direct threat to the safety and welfare of self and others and is a criminal offense under local, state and/or federal law.

#### Examples

1. Possession/Use of alcohol or drugs
2. Possession of a weapons
3. Physical assault causing injury
4. Igniting a fire
5. Other

#### Consequences

*First Offense:* Parent contacted, 10 days OSS, referral to superintendent for 180 days OSS or expulsion from school, police report.

*Repeated Offense:* Parent contacted, 10 days OSS, referral to superintendent for 180 days OSS or expulsion from school, police report.

It is recognized that modified approaches may be necessary due to legal restrictions, age, understanding and maturity level of students. For chronic or severe infractions, the principal may bypass initial steps and impose stronger consequences. Short-term suspension from the school bus may range from 1 to 20 days. Long-term suspension from the school bus may range from 20 to 180 days.

The number of days of out-of-school suspension will be determined by the building principal or assistant principal based on any prior infractions that may have occurred on the school campus.

## **Bullying (KSD Policy JFCF)**

### [Policy JFCF](#)

*Last Reviewed Date: 12/18/2023*

#### **General**

In order to promote a safe learning environment for all students, the Kirkwood School District prohibits all forms of bullying. The district also prohibits reprisal or retaliation against any person who reports an act of bullying among or against students.

#### **Definitions**

*Bullying* – In accordance with state law, bullying is defined as intimidation, unwanted aggressive behavior, or harassment that is repetitive or is substantially likely to be repeated and causes a reasonable student to fear for his or her physical safety or property; that substantially interferes with the educational performance, opportunities or benefits of any student without exception; or that substantially disrupts the orderly operation of the school. Bullying includes, but is not limited to: discrimination on the basis of race, color, religion, national origin, age, disability, or sex, including pregnancy, sexual orientation and gender identity, physical actions, including violence, gestures, theft, or property damage; oral, written, or electronic communication, including name-calling, put-downs, racial slurs, extortion, or threats; or threats of reprisal or retaliation for reporting such acts.

*Cyberbullying* – A form of bullying committed by transmission of a communication including, but not limited to, a message, text, sound or image by means of an electronic device including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer or pager. The district has jurisdiction over cyberbullying that uses the district's technology resources or that originates on district property, at a district activity or on district transportation. Even when cyberbullying does not involve district property, activities or technology resources, the district will impose consequences and discipline for those who engage in cyberbullying if there is a sufficient nexus to the educational environment, the behavior materially and substantially disrupts the educational environment, the communication involves a threat as defined by law, or the district is otherwise allowed by law to address the behavior.

*School Day* – A day on the school calendar when students are required to attend school.

#### **Designated Officials**

The principal of each building is hereby designated as the individual to receive and investigate reports of bullying. Each building principal shall designate at least two teachers or administrators in the building who are authorized to receive and investigate reports of bullying in the principal's absence or at the principal's discretion.

The district compliance officer appointed in policy AC will serve as the districtwide antibullying coordinator. The antibullying coordinator will receive all completed investigative reports from all buildings and analyze the reports to identify any information that would inform the district's antidiscrimination and antibullying education and training programs. In addition, the antibullying coordinator will assist in making any relevant reports as required by state and federal law.

### **Reporting Bullying**

School employees, substitutes or volunteers are expected to intervene to prevent student bullying, appropriately discipline the perpetrator, assist the victim and report the incident to the building principal or designee for further investigation and action. Any school employee, substitute or volunteer who witnesses or has firsthand knowledge of bullying of a student must report the incident to the building principal or designee as soon as possible, but no later than two school days after the incident.

Students who have been subjected to bullying, or who have witnessed or have knowledge of bullying, are encouraged to promptly report such incidents to a school employee. Any school employee receiving such a report shall promptly transmit the report to the building principal or designee.

If the bullying incident involves students from more than one district building, the report should be made to the principal or designee of the building in which the incident took place or, if more appropriate, to the principal or designee of the building attended by the majority of the participants in the incident.

### **Investigation**

Within two school days of receiving a report of bullying, the principal or designee will initiate an investigation of the incident. Reports that involve students from multiple buildings will be investigated cooperatively by the principals of each building involved, or those principals may request that the district's compliance officer designated in policy AC conduct the investigation. If at any time during the investigation the principal determines that the bullying involves illegal discrimination, harassment or retaliation as described in policy AC, the principal will report the incident to the compliance officer designated in that policy, who will assist in the investigation. If the alleged bullying involves a special education student or a student with disabilities, the principal will also notify the special education director.

The investigation shall be completed within ten school days of the date the report of bullying was received unless good cause exists to extend the investigation. Upon completion of the investigation, the principal will decide whether bullying or harassment occurred and, if so, whether additional discipline is warranted in accordance with the district's student discipline code. The principal will generate a written report of the investigation and findings and send a copy of the completed report to the district's antibullying coordinator. The principal or designee will document the report in the files of the victim and the alleged or actual perpetrator of bullying. All reports will be kept confidential in accordance with state and federal law.

If the incident involved allegations of illegal discrimination or harassment, the principal's decision may be appealed in accordance with policy AC. Student discipline may be appealed when allowed by law in accordance with Board policy.

The principal or other appropriate district staff will work with victims and their families to access resources and services to help them deal with any negative effects that resulted from the incident.

### **Consequences**

Students who participate in bullying or who retaliate against anyone who reports bullying will be disciplined in accordance with the district's discipline code. Such discipline may include detention, in-school suspension, out-of-school suspension, expulsion, removal from participation in activities, exclusion from honors and awards, and other consequences deemed appropriate by the principal or superintendent. The district will also contact law enforcement when required by law or notify social media companies of inappropriate online activity when appropriate.

Even in situations where the district does not have jurisdiction to discipline a student for bullying, such as when the acts take place off campus and there is an insufficient nexus to the district, the principal or designee will take appropriate actions to assist student victims. Such actions may include, but are not limited to, contacting the parents/guardians of the victim and the alleged perpetrators, communicating that this behavior is not allowed on district grounds or at district activities, notifying the appropriate district staff to assist the victim, and taking additional action when appropriate, such as notifying law enforcement or social media companies of inappropriate online activity.

District employees and substitutes who violate this policy will be disciplined or terminated. Discipline may include suspension with or without pay, a negative evaluation, prohibition from being on district property or at district activities, mandated training or other appropriate remedial action. Volunteers who violate this policy will no longer be permitted to volunteer.

### **Policy Publication**

The district shall annually notify students, parents/guardians, district employees, substitutes and volunteers about this policy and the district's prohibition against bullying. A copy of this policy shall be included in student handbooks and posted on the district's website.

### **Training and Education**

The district's antibullying coordinator will provide information and appropriate training designed to assist employees, substitutes and volunteers who have significant contact with students in identifying, preventing and responding to incidents of bullying.

The district will provide education and information about bullying and this policy to students every year. The principal of each school, in consultation with school counselors and other appropriate school employees, will determine the best methods for



facilitating the discussion. Methods may include, but are not limited to: assemblies; homeroom presentations; class meetings; team or club meetings; special presentations by counselors, social workers or mental health professionals; and open-house events. When practical, parents/guardians will be invited to attend.

In addition to educating students about the content of this policy, the district will inform students of:

1. The procedure for reporting bullying.
2. The harmful effects of bullying.
3. Any initiatives the school or district has created to address bullying, including student peer-to-peer initiatives.
4. The consequences for those who participate in bullying or engage in reprisal or retaliation against those who report bullying.

School counselors, social workers, mental health professionals, school psychologists or other appropriate district staff will educate students who are victims of bullying about how to overcome the negative effects of bullying including, but not limited to:

1. Cultivating the student's self-worth and self-esteem.
2. Teaching the student to defend him- or herself assertively and effectively without violence.
3. Helping the student develop social skills.
4. Encouraging the student to develop an internal locus of control.

### **Additional School Programs and Resources**

The Board directs the superintendent or designee to implement programs and other initiatives to address bullying, respond to such conduct in a manner that does not stigmatize the victim, and make resources or referrals available to victims of bullying. Such initiatives may include educating parents/guardians and families on bullying prevention and resources.

## **Hazing (KSD Policy JFCG)**

### [Policy JFCG](#)

*Last Reviewed Date: 08/21/2017*

In order to promote a safe learning environment for all students, the Kirkwood School District prohibits all forms of hazing.

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 district-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; whipping; beating; branding; exposing to the elements; forcing inhalation or consumption of any food, liquor, drug, tobacco product, or other substance; or any other forced physical activity that could adversely affect the physical health or safety of an individual.

Hazing can 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.

District staff, coaches, sponsors and volunteers will not permit, condone or tolerate any form of hazing or plan, direct, encourage, assist in, engage in or participate in any activity that involves hazing. District staff will report incidents of hazing to the building principal. The principal shall promptly investigate all complaints of hazing and administer appropriate discipline to all individuals who violate this policy. District staff who violate this policy may be disciplined or terminated.

Students participating in or encouraging inappropriate conduct will be disciplined in accordance with JG-R1, JG-R2 or JG-R3. Such discipline may include, but is not limited to, suspension or expulsion from school and removal from participation in activities. The district will report hazing incidents to law enforcement when required by law. Students who have been subjected to hazing are instructed to promptly report such incidents to a school official.

The superintendent will provide for appropriate training designed to assist staff, coaches, sponsors and volunteers in identifying, preventing and responding to incidents of hazing.

The district shall annually inform students, parents/guardians, district staff and volunteers that hazing is prohibited. This notification may occur through the distribution of the written policy, publication in handbooks, presentations at assemblies or verbal instructions by a coach or sponsor at the start of a season or program.

## Student Alcohol and Drug Abuse (KSD Policy JFCH)

[Policy JFCH](#)

*Last Reviewed Date: 02/26/2024*

### **Definitions**

*Controlled Substances* – Substances listed in schedules I, II, III, IV, and V of the federal Controlled Substances Act, 21 U.S.C. § 812. For the purposes of this policy, a controlled substance shall also include any controlled substance, counterfeit substance, or imitation controlled substance as defined in § 195.010, RSMo., and any chemical substances structurally similar to and treated as controlled substances under state law.

*District Activity* – Any activity, event, or function that is sponsored or approved by the district and where students are under district supervision, such as field trips or athletic events.

*District Property* – Any property owned or leased by the district, including any vehicle owned, leased, or used for district purposes, and any location where a district-sponsored or district-approved activity takes place.

*Prohibited Substances* – For the purposes of this policy, a prohibited substance shall include:

1. Alcohol
2. Controlled substances for which the student does not have a valid prescription.
3. Unauthorized inhalants.
4. Counterfeit or imitation controlled substances.
5. Marijuana or marijuana-infused products.
6. Any other illegal drug.
7. Any drug or medicine prohibited on district property by law or policy.
8. Substances intended to create a false negative on a drug test.

### **Prohibited Substances**

The district is concerned with the health, welfare, and safety of its students. Therefore, the district prohibits individuals from manufacturing, using, selling, transferring, distributing, possessing, or being under the influence of prohibited substances on district property, at district activities, and in any district-owned or district-approved vehicle used to transport students to or from district activities. The use, sale, transfer, or possession of drug-related paraphernalia is also prohibited.

### **Marijuana**

Because marijuana and marijuana-infused products are prohibited under federal law, the district does not permit their possession, use, or administration for medicinal or other purposes on district property or at district events even with a valid, Missouri-issued medical marijuana card.

### **Under the Influence**

If there is evidence that a student is under the influence of a substance prohibited by this policy, the student may be removed from school or activities and may be disciplined depending on the circumstances. The student will be given an opportunity to explain the apparent impairment prior to being removed. The district may conduct student drug testing in accordance with policy JFCI.

### **Consequences**

Students who violate this policy will be disciplined in accordance with the district's code of student conduct. In accordance with law, the district is required to immediately notify law enforcement when a student is in possession of a controlled substance and will also notify law enforcement when a student is in possession of any other illegal substance or illegal drug paraphernalia.

The board encourages the superintendent or designee to consider alternative discipline for students who are willing to seek treatment or counseling options.

## Student Alcohol and Drug Testing

### (KSD Policy JFCI-1)

#### [Policy JFCI-1](#)

Last Reviewed Date: 02/26/2024

*(District Does Not Perform Random Drug Testing)*

The board recognizes the importance of protecting the health and safety of students from the impact of using illegal drugs, performance-enhancing drugs, and alcohol. The purpose of this policy is to help prevent student substance use, encourage treatment for students who use substances, and ensure that students can attend school and participate in activities in a safe and healthy environment.

The board directs the superintendent or designee to create appropriate administrative procedures to implement this policy.

#### **Reasonable Suspicion Drug and Alcohol Testing**

A drug or alcohol test is not necessary to discipline a student when there is evidence that the student is under the influence of or has recently consumed alcohol or any drug prohibited by district policy. In accordance with law, district administrators may, at their discretion, utilize drug and alcohol testing to assist with student discipline when there is reasonable suspicion that a student has consumed drugs or alcohol and is on district property or at a district activity.

Students who test positive will be disciplined and excluded from extracurricular activities in accordance with the district's discipline policy and may also be excluded from the district's A+ scholarship program. Students who refuse to submit to testing or take measures to falsify results may still be disciplined under the district's discipline code for being under the influence of alcohol or drugs.

The board encourages the superintendent or designee to consider alternative discipline for students who are willing to seek treatment or counseling options.

#### **Marijuana and Reasonable Suspicion Testing**

Students suspected of being under the influence who test positive for marijuana may be removed from school or activities and may be appropriately disciplined even if they have a valid, Missouri-issued medical marijuana card.

## Weapons in School

### (KSD Policy JFCJ)

#### [Policy JFCJ](#)

Last Reviewed Date: 05/15/2023

The board recognizes the importance of preserving a safe educational environment for students, employees and patrons of the district. In order to maintain the safety of the educational community, the district will strictly enforce the necessary disciplinary consequences resulting from the use or possession of weapons on school property. No student may possess a weapon on school property at any time, except as specifically authorized during a school-sponsored or school-sanctioned activity (i.e., theater production, historical display). School-sanctioned use requires that firearms be non-functional and other weapons be modified to reduce the risk of injury.

School property is defined as: Property utilized, supervised, rented, leased, or controlled by the school district including, but not limited to, school playgrounds, parking lots and school buses, and any property on which any school activity takes place.

A weapon is defined to mean one or more of the following:

1. A firearm as defined in 18 U.S.C. 921.
2. A blackjack, concealable firearm, firearm, firearm silencer, explosive weapon, gas gun, knife (blade of 4 inches or more), box cutter, knuckles, machine gun, projectile weapon, rifle, shotgun, spring gun, switchblade knife, as these terms are defined in § 571.010, RSMo.
3. A dangerous weapon as defined in 18 U.S.C. § 930(g)(2).
4. All knives and any other instrument or device used or designed to be used to threaten or assault, whether for attack or defense.
5. Any object designed to look like or imitate a device as described in 1-4.

6. Any explosive, incendiary, or poison gas, such as bombs, grenades, rockets with a propellant, or any combination of parts for use in converting any device into a device as described above.

Pursuant to the Missouri Safe Schools Act and the federal Gun-Free Schools Act of 1994, any student who brings or possesses a weapon as defined in #1 or #2 above on school property or at any school activity will be suspended from school for at least one calendar year or expelled and will be referred to the appropriate legal authorities. The suspension or expulsion may be modified on a case-by-case basis upon recommendation by the superintendent to the Board of Education.

Students who bring or possess weapons as defined in #3, #4 and #5 and not otherwise included in #1 and #2, will also be subject to suspension and/or expulsion from school and may be referred to the appropriate legal authorities.

Possession of any replica weapon is prohibited. Additionally, a student will be subject to discipline if it is determined that the student used or attempted to use a replica weapon in a threatening manner or misrepresented a replica weapon as a real weapon.

Students with disabilities who violate this policy will be disciplined in accordance with policy JGE.

This policy will be submitted annually to the state Department of Elementary and Secondary Education along with a report indicating any suspensions or expulsions resulting from the possession or use of a firearm as defined in 18 U.S.C. § 921. The report will include the name of the school in which the incidents occurred, the number of students suspended or expelled and the types of weapons involved.

## **Student Discipline (KSD Policy JG)**

### [Policy JG](#)

*Last Reviewed Date: 03/15/2021*

It is essential that the district maintain a safe school environment and a climate that allows teachers to communicate effectively with all students in the class and allows all students in the class to learn. Discipline will be equitably applied and viewed as a learning opportunity with the ultimate goal of improving behavior, safety and the school climate. The district seeks to minimize the unnecessary exclusion of students from classrooms and school and encourages the superintendent and district staff to exclude students only when necessary to maintain a safe and appropriate learning environment.

The superintendent or designee is authorized to contact the district's attorney for advice on the legality of district discipline or the discipline process. The Board encourages the superintendent to recommend changes to Board policy related to student discipline as needed.

### **Discipline Code**

To assist district staff in maintaining the necessary education environment, the Board of Education has created a discipline code that addresses the consequences for students whose conduct is prejudicial to good order and discipline in the schools or impairs the morale or good conduct of other students.

The district's comprehensive written code of conduct includes, but is not limited to, this policy, JG-R1, JGA, JGB, JGD, JGE, JGF and associated procedures. The district's comprehensive written code of conduct will be placed on the district's website, and a copy will be available in the superintendent's office during normal business hours. The code of conduct will be distributed to all students and their parents/guardians at the beginning of each school year, which may be accomplished by directing students and parents/guardians to the district's website. These policies, regulations and procedures will apply to all students in attendance in the district's instructional and support programs as well as at district-sponsored activities.

### **Equity**

All district staff are required to enforce district policies, regulations and procedures in a manner that is consistent, developmentally appropriate and equitable. District staff who increase or decrease the consequences for student misconduct based on individual circumstances must document the reasons for the variance. The superintendent or designee will regularly review district discipline data to determine whether district policies are being equitably enforced and, when necessary, make recommendations to the Board for policy changes, training or resources to further the district's goals for providing equitable education to all students.

### **Discipline for Off-Campus Misconduct**

Students may be disciplined for misconduct that occurs off district grounds and outside a district activity when allowed by law including, but not limited to, the following situations:

1. The district's technology is used.
2. The student's conduct negatively impacts the education environment or there is a nexus to the education environment.
3. The student has been charged with, convicted of, or pled guilty to the commission of a felony in a court of general jurisdiction (not a juvenile court). The Board may suspend such students after a hearing in accordance with law.

4. The student has been indicted on, charged with or convicted of one of the specific crimes listed in § 167.171, RSMo. (see in policy JEC) or a petition has been filed or adjudicated in juvenile court involving one of the specific crimes listed in § 167.171, RSMo. The district shall exclude such students from school or from the general education environment after appropriate due process.
5. The student transfers to the district during a suspension or expulsion from another public school or a private or parochial school, and the district determines that the conduct would have resulted in a suspension or expulsion in this district. The district may honor a student's suspension or expulsion in such cases after providing appropriate due process when necessary.

#### **Immediate Removal**

The Board authorizes the immediate removal of a student upon a finding by a principal or superintendent that the student poses a threat of harm to self or others, as evidenced by the prior conduct of such student. Any such removal will be subject to the appropriate due process procedures and in accordance with law.

#### **Enforcement**

Building principals are responsible for the development and enforcement of additional student conduct rules needed to maintain proper behavior in schools under their supervision. All such rules shall be consistent with Board-adopted discipline policies and regulations.

Teachers have the authority and responsibility to make and enforce necessary rules for discipline in the classroom, subject to review by the building principal. The Board expects each teacher to maintain a satisfactory standard of conduct in the classroom. All district staff enforcing student discipline should seek to minimize, as much as possible, the amount of instructional time the student loses.

#### **Training**

All district employees shall annually receive instruction related to the specific contents of the district's comprehensive code of conduct and any interpretations necessary to implement its provisions including, but not limited to, confidentiality requirements and the approved methods for dealing with acts of school violence and disciplining students with disabilities.

## **Student Discipline (KSD Policy JG-R1)**

### [Policy JG-R1](#)

*Last Reviewed Date: 02/26/2024*

#### **Philosophy of Student Discipline**

The role of the district's staff is to ensure all students learn in a safe, respectful, effective, nurturing environment. This environment includes Kirkwood schools and school-sponsored events, busses and bus stops. Behaviors that affect the safety of others or disrupt district events or the normal course of running school may be addressed by this policy, even if such behavior occurs off school property. The purpose of discipline is to provide opportunities for students to develop empathy, learn and practice self-regulation skills, and learn pro-social behaviors.

#### **Commitments**

1. We believe positive relationships with students and families are essential in establishing an environment of trust.
2. Discipline must include proactive and preventative practices, as well as reflective, responsive and restorative techniques.
3. Expected behaviors must be taught, reinforced, and addressed consistently, while remaining respectful of each child's needs and developmental level.
4. Because student discipline is directly related to learning, we believe all staff must be equipped to address student behavior in a positive, holistic manner.
5. Ongoing professional development is essential for KSD staff to be responsive to the individual needs of our learners and helps to provide discipline in ways that teach and instill desired behaviors and life skills.
6. In order to maximize learning opportunities, we are committed to reducing the time any student is not included in the classroom.
7. Practices that remove students from the classroom, such as in-school suspension, will be used to provide opportunities for students to reflect, restore relationships and/or make reparations for behaviors.
8. Out-of-school suspension (OSS) is limited to incidents posing a serious and credible threat to the safety of students and/or staff, including incidents where suspension is required by the Safe Schools Act.
9. Minimizing out-of-school suspension is a goal of the Kirkwood School District.

### **Strategies**

We will invest in our staff so they may utilize best practices to each and address student behaviors. Discipline begins with a districtwide/schoolwide approach to identify expected behaviors. Individual behaviors must be addressed as patterns of behavior emerge.

Because of our belief in each child as a learner, we will use strategies such as:

1. Character Education to teach and recognize positive behaviors.
2. Culturally Responsive instruction strategies so each child is respected.
3. Positive Behavior Interventions and Supports (PBIS) to teach, communicate, reinforce and re-teach expected behavior.
4. Restorative Practices to teach empathy and help students make amends to those they have harmed.
5. Trauma Informed Care to ensure we understand the function and motivation behind behavior.
6. Crisis Prevention Intervention (CPI) to de-escalate behavior.
7. Data or PBIS Teams to track, analyze and problem solve around student behavior and incident interventions. The ASSIST process (Problem Solving Teams) will be used to determine motivation/function of behaviors, establish individual plans, and provide the social/emotional supports necessary for success.

All staff must be committed to this philosophy to ensure students are provided consistent expectations regardless of the environment.

### **Reporting to Law Enforcement**

It is the policy of the Kirkwood School District R-VII to report all crimes occurring on district property to law enforcement including, but not limited to, the crimes the district is required to report in accordance with law. A list of crimes the district is required to report is included in policy JGF.

The principal shall also notify the appropriate law enforcement agency and superintendent if a student is discovered to possess a controlled substance or weapon in violation of the district's policy.

In addition, the superintendent or designee shall notify the appropriate division of the juvenile or family court upon suspension for more than ten days or expulsion of any student who the district is aware is under the jurisdiction of the court.

### **Documentation in Student's Discipline Record**

The principal, designee or other administrators or school staff will maintain all discipline records as deemed necessary for the orderly operation of the schools and in accordance with law and policy JGF.

### **Conditions of Suspension, Expulsion and Other Disciplinary Consequences**

All students who are suspended or expelled, regardless of the reason, are prohibited from participating in or attending any district-sponsored activity, or being on or near district property or the location of any district activity for any reason, unless permission is granted by the superintendent or designee. When appropriate, the district may prohibit students from participating in activities, awards or honors, or restrict a student's access to district property as a disciplinary consequence even if a student is not suspended or expelled from school. Likewise, a student may become ineligible for or be required to forfeit any honors and awards as a disciplinary consequence.

In accordance with law, any student who is suspended for any offenses listed in ' 160.261, RSMo., or any act of violence or drug-related activity defined by policy JGF as a serious violation of school discipline, shall not be allowed to be within 1,000 feet of any district property or any activity of the district, regardless of whether the activity takes place on district property, unless one of the following conditions exist:

1. The student is under the direct supervision of the student's parent, legal guardian, custodian or another adult designated in advance, in writing, to the student's principal by the student's parent, legal guardian or custodian, and the superintendent or designee has authorized the student to be on district property.
2. The student is enrolled in and attending an alternative school that is located within 1,000 feet of a public school in the district.
3. The student resides within 1,000 feet of a public school in the district and is on the property of the student's residence.

Students who violate the prohibitions in this section may be suspended or expelled in accordance with the offense, "Failure to Meet Conditions of Suspension, Expulsion or Other Disciplinary Consequences."

Pursuant to law, no student will be confined in an unattended locked space except in an emergency situation while awaiting the arrival of law enforcement personnel.

### **Impact on Grades**

Students will be provided opportunity to complete assigned school work during the duration of any consequence. The assignment of discipline will have no impact on grades unless the student does not complete the assigned work in a reasonable amount of time.

If a student has engaged in academic dishonesty, the student's grade may be impacted.

### **Standards of Conduct**

No code can be expected to list each and every offense that may result in disciplinary action. Any conduct not included herein, an aggravated circumstance of any offense, or an action involving a combination of offenses may result in disciplinary consequences and/or restorative action as determined by the principal, superintendent and/or board of education. Repeated infractions could warrant increased disciplinary consequences. For all offenses worthy of an office referral, student conference and parent contact will occur.

### **Restorative Opportunities**

#### ***Restorative Reflection (solely with the student)***

The student has an opportunity to explain what happened and how his or her behavior affected others. The student then has the opportunity to state how they would repair the harm.

Questions to respond to challenging behaviors:

1. What happened?
2. What were you thinking at the time?
3. What have you thought about since?
4. Who has been affected by what you have done? In what way?
5. What do you think needs to happen to make things right?

Questions to help those harmed by others' actions:

1. What did you think when you realized what had happened?
2. What impact has this incident had on you and others?
3. What has been the hardest thing for you?
4. What do you think needs to happen to make things right?

#### ***Restorative Discussion (in conjunction with those who were harmed)***

The student has the opportunity to repair the relationship with the person(s) who were affected.

#### ***Restorative Action (what the student is doing to make up the harm)***

The student has the opportunity to repair the situation through actions that are appropriate considering the extent and impact of the harm.

### **STANDARD 1: CAUSING DISRUPTION OF SCHOOL OR ANY DISTRICT FUNCTION**

A student shall not in any way cause the substantial disruption, inappropriate behavior, or obstruction of any classroom, learning environment, or district-sponsored activity, including transportation on a school bus. Students may also receive disciplinary consequences if they are involved in organizing or inciting a disruption such as interfering with an adult trying to reach a crisis situation.

#### ***Consequences — Elementary School\****

##### **Minor**

Formal apology; parent contact; student conference; repair the damage; loss of privilege; detention.

##### **Major**

*First Offense:* Formal apology; parent contact; repair the damage; extended loss of privilege; detention; financial restitution.

*Subsequent Offense:* In-school suspension.

#### ***Consequences — Middle School\****

##### **Minor**

Parent contact; student conference; change in seating; loss of privilege; detention.

##### **Major**

*First Offense:* 1-5 days of in-school suspension; extended loss of privilege.

*Subsequent Offenses:* Up to 10 days of out-of-school suspension.

**Consequences — High School\***

**Minor**

Student conference; parent phone call; loss of privilege; detention.

**Major**

*First Offense:* 1-5 days of in-school suspension; extended loss of privilege.

*Subsequent Offenses:* Up to 10 days of out-of-school suspension.

\* Restorative practice will be facilitated in conjunction with any consequence, or may be utilized in lieu of additional consequence.

**STANDARD 2: ACADEMIC DISHONESTY**

Students who engage in academic dishonesty, including unauthorized use of generative artificial intelligence (AI), such as large language models (chatbots), are cheating/misrepresenting school work and may be subject to disciplinary action. Students who plagiarize or have repeated incidents of academic dishonesty may also be subject to disciplinary action.

**Consequences — Elementary School\***

**Minor**

Formal apology; parent contact; student conference; loss of privilege; detention.

**Major**

*First Offense:* Formal apology; parent contact; detention; extended loss of privilege; consult with behavioral specialist and/or counselor.

*Subsequent Offenses:* Implementation of ASSIST plan; in-school suspension; referral to law enforcement.

**Consequences — Middle School\***

**Minor**

Loss of privilege; completing an alternate assignment; up to 5 days of detention.

**Major**

*Subsequent Offenses:* Up to 5 days of in-school suspension.

**Consequences — High School\***

**Minor**

Loss of privilege; loss of points; up to 5 days of detention.

**Major**

Zero on the assignment; up to 5 days of in-school suspension.

\* Restorative practice will be facilitated in conjunction with any consequence, or may be utilized in lieu of additional consequence.

**STANDARD 3: DAMAGING DISTRICT PROPERTY OR PROPERTY OF OTHERS**

A student shall not cause or attempt to cause damage to the property of the district (including defacing the school or school property) or property of other persons. Damage to district property may result in the student or parent/guardian being required to pay for the damage.

**Consequences — Elementary School\***

**Minor**

Formal apology; parent contact; student conference; repair the damage; loss of privilege; detention.

**Major**

*First Offense:* Formal apology; parent contact; repair the damage; extended loss of privilege; detention; financial restitution.

*Subsequent Offenses:* In-school suspension.

**Consequences — Middle School\***

**Minor**

Parent contact; student conference; loss of privilege; repair the damage; detention.

**Major**

*First Offense:* 1-5 days of in-school suspension; extended loss of privilege; restitution.

*Subsequent Offenses:* Up to 10 days of out-of-school suspension.

**Consequences — High School\***

**Minor**

Parent contact; student conference; loss of privilege; repair the damage; detention.

**Major**

*First Offense:* 1-5 days of in-school suspension; extended loss of privilege; restitution.

*Subsequent Offenses:* Up to 10 days of out-of-school suspension.

\* Restorative practice will be facilitated in conjunction with any consequence, or may be utilized in lieu of additional consequence.



#### **STANDARD 4: STEALING OR POSSESSING THE PROPERTY OF THE DISTRICT OR OTHERS WITHOUT AUTHORIZATION**

A student shall not steal, attempt to steal, or be involved in the theft or possession of the property of the district or property of others. A student shall not have in his/her possession property belonging to the district, a district employee, or another student without permission of the owner; nor shall a student have possession of stolen property. For the purpose of this policy, stealing shall be defined as the unauthorized taking of property belonging to someone else. Property may include, but is not limited to, physical items and work of students or staff, whether in physical, electronic or other form.

##### ***Consequences — Elementary School\****

###### **Minor**

Formal apology; parent contact; student conference; loss of privilege; detention.

###### **Major**

*First Offense:* Formal apology; parent contact; extended loss of privilege; detention; restitution.

*Subsequent Offenses:* In-school suspension; restitution.

##### ***Consequences — Middle School\****

###### **Minor**

Parent contact; return property; restitution; 1-5 days of detention.

###### **Major**

*First Offense:* 1-5 days of in-school suspension; restitution.

*Subsequent Offenses:* Up to 10 days of out-of-school suspension with possible referral to law enforcement; restitution.

##### ***Consequences — High School\****

###### **Minor**

Parent contact; return property; restitution; in-school suspension.

###### **Major**

Up to 10 days of out-of-school suspension with possible referral to law enforcement; restitution.

\* Restorative practice will be facilitated in conjunction with any consequence; or may be utilized in lieu of additional consequence.

#### **STANDARD 5: MAKING INAPPROPRIATE PHYSICAL CONTACT, INCITING A FIGHT, FIGHTING OR ASSAULTING OTHERS**

A student shall not make inappropriate physical contact with, fight, or assault another person; nor shall a student commit an act of school violence toward another person or group.

Inappropriate physical contact is defined as any contact that is unwanted or disruptive. Horseplay, play fighting, throwing objects or other behaviors may be defined as inappropriate physical contact.

Inciting or organizing a fight is defined as causing, attempting to cause or promoting others to act in an angry, harmful or violent manner. This would include students who are verbally or physically posturing to fight.

Fighting is defined as two or more students engaged in physical contact with intent to harm. Students are prohibited from fighting or entering a fight in progress and from failing to disperse when instructed to do so.

Assault is defined as:

1. Using physical force, such as hitting, striking or pushing, to cause or attempt to cause physical injury; placing another person in apprehension of immediate physical injury; recklessly engaging in conduct that creates a grave risk of death or serious physical injury; causing physical contact with another person knowing the other person will regard the contact as offensive or provocative; or any other act that constitutes criminal assault in the third or fourth degree. Knowingly causing or attempting to cause serious physical injury or death to another person, recklessly causing serious physical injury to another person, or any other act that constitutes assault in the first or second degree.

##### ***Consequences — Elementary School\****

###### **Minor**

Formal apology; parent contact; student conference; loss of privilege; detention.

###### **Major**

*First Offense:* Formal apology; parent contact; detention; extended loss of privilege; consult with behavioral specialist and/or counselor.

*Subsequent offenses:* Implementation of ASSIST plan; in-school suspension; out-of-school suspension.

##### ***Consequences — Middle School\****

###### **Minor**

*Horseplay:* Student conference; loss of privilege; 1-5 days of detention.

*Inciting/Scuffling:* Up to 5 days of in-school suspension.

**Major**

*Fighting:* Up to 10 days of out-of-school suspension with possible recommendation for a hearing and up to 180 days of OSS.

*Assault:* 1-180 days of out-of-school suspension with possibility of expulsion and/or referral to law enforcement.

**Consequences — High School\***

**Minor**

*Horseplay:* Student conference; 1-5 days of detention; up to 5 days of in-school suspension.

**Major**

*Fighting:* Up to 10 days of out-of-school suspension with possible recommendation for a hearing and up to 180 days of OSS or possibility of expulsion.

*Assault:* 1-180 days of out-of-school suspension with possibility of expulsion and/or referral to law enforcement.

\* Restorative practice will be facilitated in conjunction with any consequence; or may be utilized in lieu of additional consequence.

**STANDARD 6: HARASSING, BULLYING, HAZING OR INTIMIDATION OF OTHERS (SEE BOARD POLICIES JFCF AND JFCG; SEE BOARD POLICIES AC AND ACA IF ILLEGAL HARASSMENT OR DISCRIMINATION IS INVOLVED)**

In order to promote a safe learning environment for all students, the Kirkwood School District prohibits all forms of bullying. The district also prohibits reprisal or retaliation against any person who reports an act of bullying among or against students.

**Definitions**

*Bullying* — In accordance with state law, bullying is defined as intimidation, unwanted aggressive behavior, or harassment that is repetitive or is substantially likely to be repeated and causes a reasonable student to fear for their physical safety or property; that substantially interferes with the educational performance, opportunities or benefits of any student without exception; or that substantially disrupts the orderly operation of the school. Bullying includes, but is not limited to: physical actions, including violence, gestures, theft, or property damage; oral, written, or electronic communication, including name-calling, put-downs, racial slurs, extortion, or threats; or threats of reprisal or retaliation for reporting such acts.

*Cyberbullying* — A form of bullying committed by transmission of a communication including, but not limited to, a message, text, sound or image by means of an electronic device including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer or pager. The district has jurisdiction over cyberbullying that uses the district's technology resources or that originates on district property, at a district activity or on district transportation. Even when cyberbullying does not involve district property, activities or technology resources, the district will impose consequences and discipline for those who engage in cyberbullying if there is a sufficient nexus to the educational environment, the behavior materially and substantially disrupts the educational environment, the communication involves a threat as defined by law, or the district is otherwise allowed by law to address the behavior.

**Consequences — Elementary School\***

**Minor**

Formal apology; parent contact; student conference; loss of privilege; detention.

**Major**

*First Offense:* Formal apology; parent contact; detention; extended loss of privilege; consult with behavioral specialist and/or counselor.

*Subsequent Offenses:* Implementation of ASSIST plan; in-school suspension.

**Consequences — Middle School\***

**Minor**

Not applicable.

**Major**

*First Offense:* Up to 5 days of in-school suspension.

*Subsequent Offenses:* Up to 10 days of out-of-school suspension with possible recommendation for a hearing and up to 180 days out-of-school suspension.

**Consequences — High School\***

**Minor**

Not applicable.

**Major**

*First Offense:* Up to 5 of days in-school suspension.

*Subsequent Offenses:* Up to 10 days of out-of-school suspension with possible recommendation for a hearing and up to 180 days of out-of-school suspension.

\* Restorative practice will be facilitated in conjunction with any consequence, or may be utilized in lieu of additional consequence.

**STANDARD 7: COMMITTING SEXUAL HARASSMENT OR OTHER SEXUAL MISCONDUCT (SEE BOARD POLICIES AC AND ACA)**

A student shall not harass other students, staff, any person or group through inappropriate verbal or physical conduct of a sexual

nature. Sexual harassment may also include written or visual images, physical gestures, as well as communication through social or electronic media.

A student shall not participate in any inappropriate sexual conduct, including exposing sex organs or body parts, toward other students, staff, persons or group. Inappropriate behavior may include staring at another's body part or purposely observing/recording others in a state of undress. A student shall not touch another person's sex organs or any other body parts in any other way that constitutes sexual contact, whether or not such touching occurs through clothing. Nor shall a student expose his/her sex organs or body parts under circumstances in which such conduct is likely to be offensive or otherwise inappropriate.

#### **Consequences — Elementary School\***

##### **Minor**

Formal apology; parent contact; student conference; loss of privilege; detention.

##### **Major**

*First Offense:* Formal apology; parent contact; detention; extended loss of privilege; consult with behavioral specialist and/or counselor.

*Subsequent Offenses:* Implementation of ASSIST plan; in-school suspension.

*Student is found "responsible" for sexual harassment under Title IX upon conclusion of a formal complaint under policy ACA:* 10-180 days of out-of-school suspension or expulsion.

#### **Consequences — Middle School\***

##### **Minor**

*Comments and/or Behavior:* Formal apology; up to 5 days of in-school suspension.

##### **Major**

*Sexual Misconduct, Indecent Exposure, Indecent Act, Sexting, Possession of Sexually Explicit, Vulgar or Violent Material:* Up to 10 days of out-of-school suspension.

*Sexual Harassment as Defined by Board Policy AC:* Up to 10 days of out-of-school suspension with a possible recommendation for a hearing with up to 180-day suspension; expulsion; and possible referral to law enforcement.

*Student is found "responsible" for sexual harassment under Title IX upon conclusion of a formal complaint under policy ACA:* 10-180 days of out-of-school suspension or expulsion.

#### **Consequences — High School\***

##### **Minor**

*Comments and/or Behavior:* Formal apology; up to 5 days of in-school suspension.

##### **Major**

*Sexual Misconduct, Indecent Exposure, Indecent Act, Sexting, Possession of Sexually Explicit, Vulgar or Violent Material:* Up to 10 days of out-of-school suspension.

*Sexual Harassment as Defined by Board Policy AC:* Up to 10 days of out-of-school suspension with a possible recommendation for a hearing with up to 180-day suspension; expulsion; and possible referral to law enforcement.

*Student is found "responsible" for sexual harassment under Title IX upon conclusion of a formal complaint under policy ACA:* 10-180 days of out-of-school suspension or expulsion.

\* Restorative practice will be facilitated in conjunction with any consequence, or may be utilized in lieu of additional consequence.

#### **STANDARD 8: POSSESSING, USING, DISTRIBUTING, SELLING OR BEING UNDER THE INFLUENCE OF ALCOHOL, CONTROLLED SUBSTANCES, OR IMITATION CONTROLLED SUBSTANCES OR TOBACCO PRODUCTS (SEE BOARD POLICIES JFCH, JFCI, AND JHCD)**

A student shall not possess, use, transfer, distribute, manufacture, or be under the influence of any alcoholic beverage, controlled substance or imitation controlled substance. The term "controlled substance" shall include any substance defined in the Narcotic Act, ' 195.010, RSMo., including any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana and marijuana-infused products, imitation controlled substance, chemical substance, or intoxicant of any kind. An "imitation controlled substance" shall mean a substance that is not a controlled substance as defined by Missouri law, but which by appearance (including color, shape, size and markings) or by representations made, would lead a reasonable person to believe that the substance is a controlled substance.

The possession, distribution, or sale of drug paraphernalia on district property or at any district-sponsored activities are expressly prohibited. Electronic cigarettes (vaping products), electronic smoking devices, imitation tobacco products, as defined in policy AH, and smoking paraphernalia are also prohibited on district property or at any district-sponsored activities.

This includes warranted suspicion of being under the influence of alcohol and/or drugs with refusal to submit to an assessment.

#### **Consequences — Elementary School\***

##### **Minor**

Parent contact, student conference; loss of privilege, detention.

### **Major**

*First Offense:* Parent contact; detention; extended loss of privilege; consult with behavioral specialist and/or counselor.

*Subsequent Offenses:* Implementation of ASSIST plan; in-school suspension.

### **Consequences — Middle School and High School\***

If a student refuses/fails to complete the drug/alcohol evaluation as described below, the student will also not be allowed to attend Vista (alternative school) for the suspension time. Online learning or homebound services will still be available to students.

*First Offense:* Health officials and parents notified; SRO notification; possible arrest; and 5 days of out-of-school suspension for high school students (3 days out-of-school suspension) and 2 days in-school suspension for middle school students.

1. A conference between the principal, the student and his or her parent(s) and/or legal guardian(s).
2. Completion of a drug/alcohol evaluation by an agency approved by the board.
3. If student/parent(s) do not comply with these expectations, the 5-day suspension will be converted to a 10-day suspension with a hearing.

*Additional Offenses:* Health officials and parents notified; SRO notification; possible arrest; 10-day out-of-school suspension with a hearing and a recommendation for up to an additional 170 days and compliance with the following:

1. A conference between the principal, the student and his or her parent(s) and/or legal guardian(s).
2. Completion of a drug/alcohol evaluation by an agency approved by the board.
3. Full and good faith participation in the development of a mutual contract and prescriptive plan that is based upon the evaluation recommendation and a combined effort to eliminate drug and/or alcohol use. The plan may include:
  - a. Drug or alcohol education and/or treatment (including regular drug and alcohol testing) as recommended by the dependency evaluation;
  - b. Individual and/or family counseling;
  - c. Participation by student's parents in parental education program;
  - d. Compliance with certain agreed-upon assertive parental measures, including curfews, restrictions on social life, blocks or nightly student time; and
  - e. Other measures as agreed upon by the family and administration, including additional days of Intervention Center.
  - f. Acceptance of responsibility by the student, which is reflected in the student's attitude.
  - g. Full compliance with requirements of Municipal Court, Family Court, or sentencing and probation requirements.

Sale, purchase or distribution of any prescription drug, alcohol, narcotic substance, unauthorized inhalants (i.e., vapes, juules, etc.), counterfeit drugs, imitation or synthetic controlled substances or drug-related paraphernalia, including controlled substances and illegal drugs defined as substances identified under schedules I, II, III, IV or V in Section 202 of the Controlled Substances Act. Possession of drugs or alcohol packaged in a manner or in a quantity intended for distribution.

*First Offense:* Law enforcement notified; parents notified; 10-day out-of-school suspension with a hearing and a recommendation for 170 additional days and requirements listed above.

*Additional Offenses:* Law enforcement notified; parents notified; 10-day out-of-school suspension with recommendation for expulsion.

\* Restorative practice will be facilitated in conjunction with any consequence, or may be utilized in lieu of additional consequence.

### **STANDARD 9: VERBAL AGGRESSION**

A student shall not be verbally aggressive. Verbal aggression is defined as actions or words that insult, harm, embarrass, degrade, offend or defame other students, staff, community members or Kirkwood guests. These actions may include gestures, written communication or communication through social media.

### **Consequences — Elementary School\***

#### **Minor**

Formal apology; parent contact; student conference; loss of privilege; detention.

#### **Major**

*First Offense:* Formal apology; parent contact; extended loss of privilege; consult with behavioral specialist and/or counselor; detention.

*Subsequent Offenses:* Implementation of ASSIST plan; in-school suspension.

### **Consequences — Middle School\***

#### **Minor**

Student/Student Interactions: Formal apology; up to 5 days of detention.

**Major**

Up to 5 days of in-school suspension.

**Consequences — High School\***

**Minor**

Student/Student Interactions: Formal apology; up to 5 days of detention.

**Major**

Up to 5 days of in-school suspension.

\* Restorative practice will be facilitated in conjunction with any consequence, or may be utilized in lieu of additional consequence.

**STANDARD 10: BEING INSUBORDINATE**

A student shall not be insubordinate. Insubordination is the refusal to comply with adult directives or directions. Adults include all Kirkwood staff, Special School District staff and bus drivers.

Insubordination also includes the repeated refusal to follow school rules or the refusal to abide by support/behavior plans developed for students.

**Consequences — Elementary School\***

**Minor**

Formal apology; parent contact; student conference; loss of privilege; detention.

**Major**

*First Offense:* Formal apology; parent contact; detention; extended loss of privilege; consult with behavioral specialist and/or counselor.

*Subsequent offenses:* Implementation of ASSIST plan; in-school suspension.

**Consequences — Middle School\***

**Minor**

Loss of privilege; student conference; up to 5 days of detention.

**Major**

*Subsequent Offenses:* Up to 5 days of in-school suspension.

**Consequences — High School\***

**Minor**

Loss of privilege; student conference.

**Major**

*Subsequent Offenses:* Up to 5 days of in-school suspension.

\* Restorative practice will be facilitated in conjunction with any consequence, or may be utilized in lieu of additional consequence.

**STANDARD 11: POSSESSING FIREARMS AND WEAPONS (SEE BOARD POLICY JFCJ)**

A student shall not bring, possess or use a weapon on school property. School property is defined as property utilized, supervised, rented, leased, or controlled by the school district including, but not limited to, school playgrounds, parking lots and school buses, and any property on which any school activity takes place. The term "weapon" is defined in policy JFCF and may include:

1. A firearm as defined in 18 U.S.C. 921.
2. A blackjack, concealable firearm, firearm, firearm silencer, explosive weapon, gas gun, knife (blade of four inches or more), box cutter, knuckles, machine gun, projectile weapon, rifle, shotgun, spring gun, switchblade knife, as these items are defined in ' 571.010, RSMo.
3. A dangerous weapon as defined in 18 U.S.C.
4. All knives and other instruments or device used or designed to be used to threaten or assault, whether for attack or defense.
5. Any object designed to look like or imitate a device as described in 1B4 above.
6. Any explosive, incendiary, or poison gas, such as bombs, grenades, rockets with a propellant, or any combination of parts for use in converting any device into a device as described above.

Possession of any replica weapon is prohibited. Additionally, a student will be subject to discipline under this Standard 10 if it is determined that the student used or attempted to use a replica weapon in a threatening manner or misrepresented a replica weapon as a real weapon.

In accordance with federal and state law, any student who possesses or uses a firearm as defined in 18 U.S.C. ' 921 or any instrument or device defined in ' 571.010, RSMo., or any instrument or device defined as a dangerous weapon in 18 U.S.C. '

930(g)(2), will be suspended from school for at least one calendar year or expelled and will be referred to the appropriate legal authorities. The suspension or expulsion may be modified on a case-by-case basis by the superintendent.

**Consequences — Elementary School\***

**Minor**

Formal apology; parent contact; student conference; loss of privilege; detention.

**Major**

*First Offense:* Formal apology; parent contact; detention; extended loss of privilege; consult with behavioral specialist and/or counselor.

*Subsequent Offenses:* Implementation of ASSIST plan; in-school suspension; out-of-school suspension; referral to law enforcement

**Consequences — Middle School\***

**Minor**

Not applicable.

**Major**

Up to 10 days of out-of-school suspension with possible referral for a hearing and up to 180 days out-of-school suspension or expulsion and possible referral to law enforcement.

**Consequences — High School\***

**Minor**

Not applicable.

**Major**

Up to 10 days of out-of-school suspension with possible referral for a hearing and up to 180 days out-of-school suspension or expulsion and possible referral to law enforcement.

\* Restorative practice will be facilitated in conjunction with any consequence, or may be utilized in lieu of additional consequence.

**STANDARD 12: POSING A THREAT OF HARM TO OTHERS AT SCHOOL**

A student who poses a threat of harm to others may be immediately removed from school. Prior disciplinary actions shall not be used as the sole basis for removal, suspension or expulsion of a student. Major infraction: Student may be suspended and a threat assessment shall be conducted within 48 hours of the suspension. Results of the threat assessment will be used to determine the appropriate course of action.

**Consequences — Elementary School\***

**Minor**

Formal apology; parent contact; student conference; loss of privilege; detention.

**Major**

*First Offense:* Formal apology; parent contact; detention; extended loss of privilege; consult with behavioral specialist and/or counselor.

*Subsequent Offenses:* Implementation of ASSIST plan; in-school suspension; referral to law enforcement.

**Consequences — Middle School\***

**Minor**

Not applicable.

**Major**

Up to 10 days of out-of-school suspension with possible referral for a hearing and up to 180 days out-of-school suspension and possible referral to law enforcement.

**Consequences — High School\***

**Minor**

Not applicable.

**Major**

Up to 10 days of out-of-school suspension with possible referral for a hearing and up to 180 days out-of-school suspension and possible referral to law enforcement.

\* Restorative practice will be facilitated in conjunction with any consequence, or may be utilized in lieu of additional consequence.

**STANDARD 13: POSSESSING BOMBS OR OTHER DANGEROUS SUBSTANCES**

A student shall not possess an explosive or incendiary device or any item or substance that could reasonably be considered dangerous to persons or property (such as bombs, gunpowder, ammunition, fireworks, fire bombs, smoke bombs, acid, or other dangerous chemicals) in school or on any district property, on any district or contracted school transportation, during district-sponsored activities whether on or off district property, or during intermission or recess periods.

**Consequences — Elementary School\***

**Minor**

Formal apology; parent contact; student conference; loss of privilege; detention.

**Major**

*First Offense:* Formal apology; parent contact; detention; extended loss of privilege; consult with behavioral specialist and/or counselor.

*Subsequent Offenses:* Implementation of ASSIST plan; in-school suspension; referral to law enforcement.

**Consequences — Middle School\***

**Minor**

*Possession of fireworks:* Up to 5 days of in-school suspension.

**Major**

Up to 10 days of out-of-school suspension with possible referral for a hearing and up to 180 days out-of-school suspension or expulsion and possible referral to law enforcement.

**Consequences — High School\***

**Minor**

*Possession of fireworks:* Up to 5 days of in-school suspension.

**Major**

Up to 10 days of out-of-school suspension with possible referral for a hearing and up to 180 days out-of-school suspension or expulsion and possible referral to law enforcement.

\* Restorative practice will be facilitated in conjunction with any consequence, or may be utilized in lieu of additional consequence.

**STANDARD 14: MAKING FALSE ALARMS OR FALSE BOMB REPORTS**

A student shall not make a false statement regarding the possession or location of an explosive device or incendiary materials, nor shall a student report a fire or activate the fire alarm system when no fire exists. Major: Student may be suspended, and a threat assessment will be completed within 48 hours of the suspension. The results of the threat assessment will be used to determine the appropriate course of action.

**Consequences — Elementary School\***

**Minor**

Formal apology; parent contact; student conference; loss of privilege; detention.

**Major**

*First Offense:* Formal apology; parent contact; detention; extended loss of privilege; consult with behavioral specialist and/or counselor.

*Subsequent Offenses:* Implementation of ASSIST plan; in-school suspension; referral to law enforcement.

**Consequences — Middle School\***

**Minor**

Not applicable.

**Major**

Up to 10 days of out-of-school suspension with possible referral for a hearing and up to 180 days out-of-school suspension or expulsion and possible referral to law enforcement.

**Consequences — High School\***

**Minor**

Not applicable.

**Major**

Up to 10 days of out-of-school suspension with possible referral for a hearing and up to 180 days out-of-school suspension or expulsion and possible referral to law enforcement.

\* Restorative practice will be facilitated in conjunction with any consequence, or may be utilized in lieu of additional consequence.

**STANDARD 15: SETTING FIRES**

A student shall not set a fire, attempt to set a fire, or participate in an act that results in a fire on district property, district transportation, or at a district-sponsored activity off district property.

**Consequences — Elementary School\***

**Minor**

Formal apology; parent contact; student conference; loss of privilege; detention.

**Major**

*First Offense:* Formal apology; parent contact; detention; extended loss of privilege; consult with behavioral specialist and/or counselor.

*Subsequent Offenses:* Implementation of ASSIST plan; in-school suspension; referral to law enforcement.

**Consequences — Middle School\***

**Minor**

Not applicable.

**Major**

Up to 10 days of out-of-school suspension with possible referral for a hearing and up to 180 days out-of-school suspension or expulsion and possible referral to law enforcement.

**Consequences — High School\***

**Minor**

Not applicable.

**Major**

Up to 10 days of out-of-school suspension with possible referral for a hearing and up to 180 days out-of-school suspension or expulsion and possible referral to law enforcement.

\* Restorative practice will be facilitated in conjunction with any consequence, or may be utilized in lieu of additional consequence.

**STANDARD 16: MISUSE OF NETWORK ACCESS, INTERNET ACCESS OR ELECTRONIC EQUIPMENT**

Students are responsible for good behavior on electronic devices/networks just as they are in a classroom or school hallway. A student shall not engage in inappropriate behavior on a personal or school electronic device or the district computer network. The following acts represent the kinds of conduct considered inappropriate:

1. Hacking, attempting to hack, and other unlawful activities.
2. Sending or displaying offensive messages or pictures.
3. Using obscene language.
4. Harassing, insulting or attacking others.
5. Accessing material that advocates illegal acts or violence or is otherwise inappropriate.
6. Damaging computers, computer systems or computer networks.
7. Violating copyright laws.
8. Using another's password.
9. Trespassing in another's folders, work or files.
10. Employing the network for commercial purposes.
11. Unauthorized disclosure, use and dissemination of personally identifiable information.
12. Other inappropriate electronic-related actions as determined by the principal.
13. Discrimination on the basis of race, color, religion, national origin, age, disability, or sex, including pregnancy, sexual orientation and gender identity.

In addition, students will be held accountable for compliance with board policy EHB and procedure EHB-AP1 and administrative guidelines.

**Consequences — Elementary School\***

**Minor**

Formal apology; parent contact; student conference; loss of privilege; repair the damage; detention.

**Major**

*First Offense:* Formal apology; parent contact; detention; extended loss of privilege; consult with behavioral specialist and/or counselor; financial restitution.

*Subsequent Offenses:* Implementation of ASSIST plan; in-school suspension; referral to law enforcement.

**Consequences — Middle School\***

**Minor**

Loss of privilege; up to 5 days of detention; up to 5 days of in-school suspension.

**Major**

Up to 10 days of out-of-school suspension with possible referral for a hearing with up to 180 days of out-of-school suspension and possible referral to law enforcement.

**Consequences — High School\***

**Minor**

Loss of privilege; up to 5 days of detention; up to 5 days of in-school suspension.

**Major**

Up to 10 days of out-of-school suspension with possible referral for a hearing with up to 180 days of out-of-school suspension and possible referral to law enforcement.

\* Restorative practice will be facilitated in conjunction with any consequence, or may be utilized in lieu of additional consequence.



## **STANDARD 17: ENGAGING IN OTHER MISCONDUCT**

Students who engage in other misconduct not expressly covered by the foregoing standards but that is disruptive to school operations and detrimental to good order and discipline may be subject to disciplinary action up to and including suspension and/or expulsion. Examples may include, but are not limited to, gambling, forgery, reckless driving, public displays of affection, failure to produce a school-issued ID when asked, repeated disciplinary violations and/or possession of inappropriate items.

### ***Consequences — Elementary School\****

#### **Minor**

Formal apology; parent contact; student conference; loss of privilege; detention.

#### **Major**

*First Offense:* Formal apology; parent contact; detention; extended loss of privilege; consult with behavioral specialist and/or counselor.

*Subsequent Offenses:* Implementation of ASSIST plan; in-school suspension; referral to law enforcement.

### ***Consequences — Middle School\****

#### **Minor**

Loss of privilege; up to 5 days of detention.

#### **Major**

*First Offense:* Up to 5 days of in-school suspension.

*Subsequent Offenses:* Up to 10 days of out-of-school suspension with possible referral for a hearing with up to 180 days of out-of-school suspension.

### ***Consequences — High School\****

#### **Minor**

Loss of privilege; up to 5 days of detention.

#### **Major**

*First Offense:* Up to 5 days in-school suspension.

*Subsequent Offenses:* Up to 10 days of out-of-school suspension with possible referral for a hearing with up to 180 days of out-of-school suspension; or expulsion.

\* Restorative practice will be facilitated in conjunction with any consequence, or may be utilized in lieu of additional consequence.

## **Discipline of Students With Disabilities**

### **(KSD Policy JGE)**

#### **[Policy JGE](#)**

*Last Revised Date: 09/06/2005*

It is the goal of the Kirkwood R-VII School District to provide a safe and productive learning environment for all students. The district holds the welfare and safety of all persons in the district in highest regard. Students with disabilities will be disciplined in accordance with the district's discipline code applicable to all students, subject to the modifications mandated by law. All students, including those with disabilities, will be referred for law enforcement action when required by law and when their conduct constitutes a crime.

The district will comply with all state and federal laws governing the discipline of students with disabilities, including the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, applicable regulations and state and local plans for compliance with the law. In addition to the process outlined in special education law, students with disabilities will receive the same due process afforded other students.

The Board delegates to the superintendent or designee the authority to seek the removal of a student with a disability as allowed by federal or state law to an alternative educational setting through the state hearing process or to seek a court injunction ordering removal or a different educational placement.

The superintendent or designee will provide all district employees training on violence prevention, the district's discipline code and the legal requirements for disciplining students with disabilities. The Board delegates to the superintendent or designee the authority to contact the district's legal counsel for legal advice or training on the district's responsibilities.