

Policy BDC: CLOSED MEETINGS, RECORDS, AND VOTES

Status: DRAFT

Original Adopted Date: 04/15/2002 | **Last Revised Date:** 08/26/2024

24D UPDATE EXPLANATION

This policy was changed to reflect the amendments made to the Sunshine Law under House Bill 2111 (2023).

This new law expands the state auditor's authority to audit political subdivisions, such as school districts, for "improper governmental activity." This term is defined very broadly as "official misconduct, fraud misappropriation, mismanagement, waste of resources, or a violation of state or federal law, rule, or regulation." Because of this broad definition, school districts should prepare for more state audits based on patron complaints.

Part of the bill amends the Sunshine Law and adds to the reasons to close a record or meeting, "Records relating to reports of allegations of improper governmental activities under section 29.221." The legal reference is to a statute that allows members of the public to report concerns to the state auditor.

MSBA believes that the intent of this statute was to allow the state auditor to close the complaints made by citizens. However, because the amendment includes records "relating to reports" of improper activities, it is possible that this provision would apply to school districts as well. For that reason, MSBA is including this amendment in this policy.

MSBA has also included an existing provision regarding the confidentiality of foster home or kinship placements by the Missouri Department of Social Services. Because districts serve many foster care students, this provision is relevant.

MSBA is also updating the statutory references in this policy to align with the amended law.

The board will conduct closed meetings, maintain records, and hold votes in accordance with the Missouri Sunshine Law.

Closed Meeting Notice

The board will give public notice of closed meetings in accordance with board policy and law. The motion and the vote to authorize closed session must occur in open session. The motion must include the specific reason for closing the meeting with reference to a specific section of the statute, and the vote on the motion must be taken by roll call and entered into the minutes. The motion will pass if a majority votes in the affirmative.

Posted notice of a closed meeting will include the time, date, and place of the closed meeting and the reasons for holding the meeting with reference to the specific statutory exemption under which the meeting will be closed. Only business directly related to the specific statutory exemptions provided may be discussed or voted upon at a closed meeting.

Objection

Board members who believe that closing a meeting, record, or vote would violate the Missouri Sunshine Law may state their objection to the motion to close before or at the time the vote is taken. The board secretary will enter the objection in the minutes. Board members shall be allowed to fully participate in the meeting, record, or vote even if it is closed over their objection. Board members who also vote against the motion to close the meeting, record, or vote will have an absolute defense against a Missouri Sunshine Law violation claim.

Meeting Location

The board shall close only that portion of the meeting facility needed to house the board in closed session. Members of the public must be allowed to remain in the meeting facility so that they may attend any open meeting that follows the closed meeting.

Confidentiality

The board members, employees, and others in attendance at closed meetings are honor bound not to disclose the

details or discussions of the closed meetings, records, or votes or any other information that is deemed confidential by law, board policy, or district procedures. It is an essential job function of all district employees to follow confidentiality laws and district confidentiality policies and procedures. District employees who fail to keep closed information or closed meetings confidential may be disciplined or terminated. District employees are required to report to their supervisors when they accidentally disclose confidential information or reasonably believe another person is disclosing confidential information in violation of law, board policy, or district procedures.

Board members who violate confidentiality laws, board policies, or district procedures may be removed from all district committees and publicly admonished by the board, and the board may take legal action against the member by seeking an injunction or monetary damages. The board may also seek legal action from the local prosecutor or the Missouri Attorney General's Office. In addition, it is a crime, punishable by a fine of up to \$500 or a year in jail, for any school board member or district employee to willfully neglect or refuse to perform a duty imposed by certain state statutes applicable to school districts, some of which contain confidentiality requirements.

Closed Topics

Pursuant to the Missouri Sunshine Law, the board of education hereby closes all meetings, records, and votes pertaining to:

1. Legal actions, causes of action, or litigation involving the district and any confidential or privileged communication between the district or its representatives and its attorneys. Any minutes, vote, or settlement agreement relating to legal actions, causes of action, or litigation involving the district or an agent or entity representing the district, including any insurance company acting on the district's behalf, shall become available to the public upon final disposition of the matter voted upon or upon the signing of a settlement agreement by the parties. A settlement agreement may be ordered closed by a court; however, the amount of any moneys paid by or on behalf of the school district, pursuant to the settlement agreement, must be available to the public. When the district makes a decision involving the exercise of eminent domain, the vote shall become public immediately following the meeting in which the vote was taken to authorize institution of such legal matter. Legal work product is considered a closed record. § 610.021(1), RSMo.
2. The lease, purchase, or sale of real estate by the district where public knowledge of the transaction might adversely affect the amount to be received or spent by the district. Any minutes, vote, or public record approving such a contract shall become available to the public upon execution of the lease, purchase, or sale of the real estate. § 610.021(2), RSMo.
3. Hiring, firing, disciplining, or promoting of particular employees by the district when personal information about the employee is discussed or recorded. Any vote on a final decision to hire, fire, promote, or discipline an employee must be made available to the public, with a record of how each member voted, within 72 hours of the close of the meeting where the action occurred. The district will attempt to notify the affected employee during the 72-hour period before the decision is made available to the public. The term "personal information" means information relating to the performance or merit of individual employees. § 610.021(3), RSMo.
4. Proceedings involving the mental or physical health of an identifiable individual. § 610.021(5), RSMo.
5. Scholastic probation, expulsion, or graduation of identifiable persons, including records of individual tests or examination scores. However, personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents/guardians or other custodians of students under the age of 18, emancipated students under 18, and by the parents/guardians or other custodians and the student if the student is over 18. § 610.021(6), RSMo.
6. Testing and examination materials until the test or examination is given for the final time. § 610.021(7), RSMo.
7. Welfare cases of identifiable individuals. § 610.021(8), RSMo.
8. Preparations on behalf of the district or its representatives for negotiations with employee groups, including any discussion or work product. § 610.021(9), RSMo.
9. Software codes for electronic data processing and documentation thereof. § 610.021(10), RSMo.
10. Competitive bidding specifications until officially approved or published. § 610.021(11), RSMo.

11. Sealed bids and related documents until the bids are opened; sealed proposals and related documents until all proposals are rejected; or any documents related to a negotiated contract until a contract is executed. § 610.021(12), RSMo.
12. Individually identifiable personnel records, performance ratings, or records pertaining to employees or applicants for employment. However, the names, positions, salaries, and lengths of service of district officers and employees shall be available to the public. § 610.021(13), RSMo.
13. Records protected from disclosure by law. § 610.021(14), RSMo.
14. Scientific and technological innovations in which the owner has a proprietary interest. § 610.021(15), RSMo.
15. Records relating to municipal hotlines established for reporting abuse and wrongdoing. § 610.021(16), RSMo.
16. Records relating to reports of allegations of improper governmental activities made to the state auditor. § 610.021(17), RSMo.
17. Confidential or privileged communications between the board and its auditor, including all auditor work product. However, all final audit reports issued by the auditor are to be considered open records. § 610.021(178), RSMo.
18. Operational guidelines, policies, and specific response plans developed, adopted, or maintained by the district for use in responding to or preventing any critical incident that has the potential to endanger individuals or public health or safety. The board affirmatively states that disclosure would impair its ability to protect the health or safety of persons and that the public interest in nondisclosure outweighs the public interest in disclosure of the records. Financial records related to procurement or expenditures related to operational guidelines, policies, or plans shall be open records. § 610.021(189), RSMo.
19. Any information or data provided to a tip line for the purpose of safety or security at an educational institution that, if disclosed, has the potential to endanger the health or safety of an individual or the public. § 610.021(189), RSMo.
20. Any information contained in any suspicious activity report provided to law enforcement that, if disclosed, has the potential to endanger the health or safety of an individual or the public. § 610.021(189), RSMo.
21. Existing or proposed security systems and structural plans of real property owned or leased by the district where public disclosure would threaten public safety. Procurement records or expenditures relating to security systems purchased with public funds shall be open. The board affirmatively states that disclosure would impair the district's ability to protect the security or safety of persons or real property and that the public interest in nondisclosure outweighs the public interest in disclosure of the records. § 610.021(1920), RSMo.
22. The portion of a record that identifies security systems, access codes, or authorization codes for security systems of real property. § 610.021(201), RSMo.
23. Records that identify and would allow unauthorized access to or unlawful disruption of the configuration of components or the operation of a computer, computer system, computer network, or telecommunications network of the district if released. This exception shall not be used to limit or deny access to otherwise public records in a file, document, data file, or database containing public records. Records related to the procurement of or expenditures for such computer, computer system, computer network, or telecommunications network shall be open. § 610.021(212), RSMo.
24. Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes, or authorization codes that are used to protect the security of electronic transactions between the district and a person or entity doing business with the district. However, the record of a person or entity using a district credit card or any record of a transaction that is reimbursed by the district will be open. § 610.021(223), RSMo.
25. Records relating to foster home or kinship placements of children in foster care provided to the district by the Children's Division of the Missouri Department of Social Services. § 610.021(25), RSMo.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

§ 162.091, RSMo.

Description

[State Statute](#)

§§ 610.010-.030, RSMo.

[State Statute](#)

Cross References

Description

DIE

[AUDITS](#)

DIE-AP(1)

[AUDITS - \(Audit Process\)](#)

EBCA

[CRISIS INTERVENTION PLAN](#)

ECA

[BUILDING AND GROUNDS SECURITY](#)

ECA-AP(1)

[BUILDING AND GROUNDS SECURITY](#)

EHBC

[DATA GOVERNANCE AND SECURITY](#)

EHBC-AP(1)

[DATA GOVERNANCE AND SECURITY - \(Incident and Data Breach Response Plan\)](#)

EHBC-AP(2)

[DATA GOVERNANCE AND SECURITY - \(Data Management\)](#)

EHBC-AP(3)

[DATA GOVERNANCE AND SECURITY - \(Account Management\)](#)

EHBC-AP(4)

[DATA GOVERNANCE AND SECURITY - \(Security Controls\)](#)

GBCBB

[PROTECTED STAFF COMMUNICATIONS](#)

GBLB

[REFERENCES](#)

IGBE-1

[STUDENTS IN FOSTER CARE](#)

IGBE-1-AP(1)

[STUDENTS IN FOSTER CARE - \(Dispute Resolution Process\)](#)

IGCD

[VIRTUAL COURSES](#)

IGCDA

[FULL-TIME MOCAP VIRTUAL COURSES](#)

JECA-2

[ELIGIBILITY TO ENROLL](#)

JO-1

[STUDENT RECORDS](#)

JO-1-AP(1)

[STUDENT RECORDS](#)

JO-1-AP(2)

[STUDENT RECORDS - \(Disclosure of Photographs, Images and Recordings Maintained by the District\)](#)

KDA

[CUSTODIAL AND NONCUSTODIAL PARENTS](#)

KKB

[AUDIO AND VISUAL RECORDING](#)

Policy DFI-2: SETTING TUITION FOR DISTRICT PROGRAMS

Status: DRAFT

Original Adopted Date: 09/28/2020 | **Last Revised Date:** 08/26/2024

**24D UPDATE EXPLANATION
(Version 2)**

MSBA has removed from this policy language that is no longer relevant. State statute § 167.151, RSMo., has been amended to remove the requirement to allow enrollment of any nonresident student whose parents pay school taxes in the district.

Now only a very narrow subset of property owners is eligible to send their nonresident student to the district. To be eligible, a student's parent must:

- Currently own residential or agricultural real property in the district or is a named beneficiary of a trust that owns such property;
- Provide proof of ownership, or proof of the trust's ownership, of the property for at least the previous four consecutive years;
- Provide proof that the parent or the trust has annually paid a minimum of \$2,000 in school taxes to the school district levied on the property;
- Reside in the same county as the district; and
- Provide 30 days' written notice to the district of their intent to enroll the child.

Parents may send up to four children to another district under this provision. If a student qualifies under the new exception, the law no longer requires payment of tuition even if the amount of school taxes paid is less than the cost of educating the nonresident student. Therefore, the deleted section is no longer needed. See policy JECA.

(District Allows Nonresident Students to Enroll and Attend Only When Required by Law)

The Carl Junction R-1 School District School Board recognizes that there are situations where nonresident students and residents who are not otherwise entitled to free education may be allowed by law to attend the Carl Junction R-1 School District or district programs on a tuition basis. In these situations, the board will set tuition in an amount that, minimally, recoups the costs of the program and meets any applicable legal requirements.

The superintendent will make recommendations to the board annually to set tuition rates for the following year. The board will set all applicable tuition rates no later than February 1.

Per-Pupil Cost

When used in this policy, "per-pupil cost" refers to the cost of maintaining the district's grade-level grouping in the school the student will attend divided by the average daily pupil attendance. In no case will the per-pupil cost exceed the amounts spent for teachers' wages, incidental purposes, debt service, maintenance, and replacements. The term "debt service" means expenditures for the retirement of bonded indebtedness and expenditures for interest on bonded indebtedness. The per-pupil cost may be offset by any state or federal funding received for the attendance of the nonresident student.

Collecting Tuition

The board expects the superintendent or designee to take action to minimize delinquent or uncollected tuition payments including, but not limited to, securing binding contracts with the persons responsible for paying tuition and requiring prepayment of tuition from individuals when appropriate. If a party is delinquent in payment, the board authorizes the superintendent or designee to contact the district's attorney and take all available legal action to recoup tuition payments owed to the district. Unless otherwise prohibited by law, the district may exclude students from the district's education programs after the responsible party is notified of the delinquency and given a reasonable amount of time to pay the district.

Early Childhood Tuition (§ 161.213, RSMo.)

The tuition for any district-operated early childhood programs that charge tuition will be set at the per-pupil cost of maintaining the early childhood program.

Summer School Tuition (§ 167.227, RSMo.)

The district has the option of charging tuition for nonresidents to attend its summer school program. If the district selects this option, tuition will be set at the per-pupil cost of operating the summer school program.

Career and Technical Education Tuition (§ 178.510, RSMo.)

If the district has a career and technical education program open to neighboring districts, the district may contract to provide those services to students in other districts and will charge those districts tuition set at the per-pupil cost of the program.

Disputes between the Carl Junction R-1 School District and the student's resident district may be submitted to the State Board of Education for resolution.

Tuition for Children Placed in the District (§ 167.126, RSMo.)

For nonresident students placed by the Department of Mental Health, the Department of Social Services (DSS), or a court order in facilities or programs located within the district or who temporarily reside (for more than three days) in a children's hospital or psychiatric residential treatment facility located in the district, the Carl Junction R-1 School District will charge the student's resident district tuition equal to the average sum produced per student by the local tax efforts of the student's resident district. A special school district will pay the average sum produced per child by the local tax efforts of the domiciliary districts. If the resident district fails to pay the appropriate amount to this district within 90 days of billing, this district will notify the Department of Elementary and Secondary Education (DESE) so that the appropriate amounts may be withheld from the resident district's state aid and paid to the Carl Junction R-1 School District. In addition, the district may receive payments from DESE in lieu of receiving the local tax effort from the domiciliary district in some situations.

The district will seek additional payments from DESE for students placed in programs or facilities operated by the Department of Mental Health, DSS, or a court or placed by DSS or a court into a publicly contracted residential site in Missouri when the per-pupil costs of the education services provided to the student exceed the amounts received from the student's resident district.

Tuition Charged to K-6 or K-8 School Districts (§ 167.131, RSMo.)

For students who enroll in the Carl Junction R-1 School District because they reside in a school district located in the same county as the Carl Junction R-1 School District or an adjoining county that does not provide education through grade 12, the district will set tuition at the per-pupil cost of maintaining the district's grade-level grouping in the school the student will attend, which will be charged to the student's resident school district as required by law. Disputes between this district and the student's resident district may be submitted to the State Board of Education for resolution.

Tuition for Students of Nonresident Taxpayers to the District (§ 167.151, RSMo.)

A parent/guardian who pays a school tax in the Carl Junction R-1 School District may receive as a credit on the amount charged for tuition the amount of school tax paid to the district. The deduction will be prorated among the number of students per family attending the district's schools. The tuition will be set at the per-pupil cost of maintaining the district's grade-level grouping in the school the student will attend. The parent/guardian must submit a tax statement to the superintendent or designee before a student will be admitted. The district and the parent/guardian will enter into a contract outlining the payment schedule for any remaining tuition owed. Attendance will not begin until the parent/guardian makes the first payment, and the district may remove a student from attendance if the parent/guardian is delinquent with tuition payments.

Tuition Charged for Two-Year College Courses (§§ 178.370 - .400, RSMo.)

If the district establishes a program for two-year college courses as allowed by law, the district may charge tuition to enroll in such courses to all nonresident students as well as resident students who are ineligible for free education. The tuition will be set at the per capita costs of the courses. Tuition may be paid by individual students or the school district of residence.

Tuition for Night School (§ 178.290, RSMo.)

If the district establishes a night school as allowed by law, the district will charge tuition to all nonresident students and any resident students who are ineligible for free education. The tuition will be set at a rate that recoups the costs associated with the program.

Tuition for Students Assigned with a Hardship Transfer (§§ 167.121, .125, RSMo.)

If the commissioner of education assigns a nonresident student to the district due to a transportation hardship under § 167.121, RSMo., the district will enroll the student and charge the student's resident district the pro rata cost of instruction for the student. If the commissioner of education assigns a student living in St. Elizabeth, St. Albans, or Maries County to the district under § 167.125, RSMo., the school district of residence will pay the Carl Junction R-1 School District the pro rata cost of instruction. However, if the Carl Junction R-1 School District's tuition is greater than the tuition of the student's school district of residence, the student's parent/guardian will pay the difference in tuition.

Tuition Charged for Transfers from Unaccredited School Districts (§§ 167.132, .895, RSMo.)

In situations where DESE assigns students residing in an unaccredited district to be educated in the Carl Junction R-1 School District, the board will set tuition in accordance with law that will be either the state adequacy target plus the average sum produced per child by the sending district's local tax effort or a lesser amount as determined by the board.

If costs associated with the provision of special education and related services to a student with a disability exceed the tuition amount set by the board, the unaccredited district will pay the excess cost to the Carl Junction R-1 School District. For districts served by a special school district, the unaccredited district will contract directly with the special school district for special education and related services.

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State References	Description
§ 161.151, RSMo.	State Statute
§ 161.213, RSMo.	State Statute
§ 167.121, RSMo.	State Statute
§ 167.125, RSMo.	State Statute
§ 167.126, RSMo.	State Statute
§ 167.131, RSMo.	State Statute
§ 167.132, RSMo.	State Statute
§ 167.151, RSMo.	State Statute
§ 167.227, RSMo.	State Statute
§ 167.895, RSMo.	State Statute
§ 168.151, RSMo.	State Statute
§ 171.131, RSMo.	State Statute
§ 178.290, RSMo.	State Statute
§ 178.370-.400, RSMo.	State Statute
§ 178.510, RSMo.	State Statute

Cross References

JEC-1

JECA-AP(1)

JECA-2

Description

[SCHOOL ADMISSIONS](#)

[ELIGIBILITY TO ENROLL - \(Foreign Exchange Students\)](#)

[ELIGIBILITY TO ENROLL](#)

Policy EBBC: LACTATION SUPPORT

Status: DRAFT

Original Adopted Date: 04/18/2022

24C UPDATE EXPLANATION

This policy was revised to align with the Pregnant Workers Fairness Act (PWFA), a new federal law that requires employers with 15 or more employees to provide accommodations to employees' known physical or mental conditions related to, affected by, or arising out of pregnancy, childbirth, or related medical conditions. This obligation exists even if the condition does not rise to the level of a disability. Lactation is obviously one of the physical conditions arising out of pregnancy.

Under the PWFA, it is illegal to:

1. Not make reasonable accommodations, unless the district can demonstrate that the accommodations would impose an undue hardship on the operation of business;
2. Require an employee to accept an accommodation other than a reasonable accommodation arrived at through an interactive process;
3. Deny employment opportunities to an employee because the employee needs an accommodation;
4. Require a qualified employee to take paid or unpaid leave if another reasonable accommodation can be provided to the known limitations; or
5. Take adverse employment action against a qualified employee because the employee requested or used a reasonable accommodation.

It is not necessary for an employee who is pregnant or has pregnancy-related limitations to show unfair treatment in the accommodations they are afforded compared to the accommodations afforded to other employees (previously, accommodations were sometimes denied for lack of similarly situated employees with whom to compare treatment).

For more information on the PWFA, go to <https://www.eeoc.gov/wysk/what-you-should-know-about-pregnant-workers-fairness-act>.

For the convenience of district staff, students, and the public, and to support the care of children, the district will provide accommodations as required by law for lactation activities. For the purposes of this policy, "lactation activities" include expressing breast milk, breastfeeding a child, or addressing other needs related to lactation. The district will provide employees and students a minimum of three opportunities during a school day, at intervals agreed upon by the district and the individual, to express breast milk or breastfeed a child for at least one year following the child's birth.

Lactation Rooms

In accordance with state law, the district allows breastfeeding or expressing breast milk, with discretion, in any public or private location where the person is otherwise authorized to be. To further accommodate lactation activities, the superintendent or designee will identify at least one room that is not a restroom in each school building to be used exclusively for lactation activities. The room will meet the requirements of state and federal law.

Employees

Employees are encouraged to notify their supervisors in advance if they need reasonable accommodations for lactation activities. Accommodations will be provided as required by law after an interactive process with the employee. The supervisors will work with the employees to address arrangements and scheduling to minimize disruptions to the school day and ensure that the employee's duties are covered during the break time and minimize disruptions to the school day.

Providing breaks to classroom teachers and other employees who directly supervise students throughout the day is particularly challenging because students cannot be left unsupervised and student learning cannot be disrupted. The district expects these employees to be particularly flexible and, when possible, to use planning periods, lunch

breaks, routine breaks in their class schedule, or other free time to meet their lactation-related needs.

Employees experiencing limitations related to pregnancy, childbirth, or related medical conditions may also seek other reasonable accommodations in accordance with law.

The district will not deny employment opportunities or take adverse employment action against an employee who has requested reasonable accommodations.

This policy does not entitle an employee to bring or keep an infant at work during times when the employee is required to be working.

Students

Lactating students should contact the counselor or Title IX coordinator, who will make arrangements with the student to create a schedule that results in the least amount of missed class time. Students will be allowed to make up work missed due to lactation activities. If it is not possible to make up the missed work, the student will be provided an alternative assignment.

This policy does not entitle a student to bring an infant to school during the school day when the student is required to be in class.

Public

Members of the public are allowed to engage in lactation activities while on district property and may use the district's designated lactation rooms to do so.

Policy GB-1: PART-TIME AND SUBSTITUTE EMPLOYMENT

Status: DRAFT

Original Adopted Date: 05/23/2016 | Last Revised Date: 02/25/2019

24C UPDATE EXPLANATION
(Version 1)

The state decreased the requirements to qualify to be a substitute teacher in an attempt to help school districts fully staff schools. Individuals may now receive a substitute teacher certificate by completing at least 36 semester hours of college credit or completing 20 hours of online training and possessing a high school diploma. The law also prohibits people under the age of 20 from teaching in high school.

The legislature enacted other provisions that will make it easier to substitute teach. Substitute teaching certificates will now be valid for four years, instead of one year, if the person substitutes for at least five days or 40 hours each year. Further, people applying for the certificates can designate up to five school districts to receive background check results, making it easier and cheaper to substitute teach for multiple school districts.

The law encourages, but does not require, school districts to provide an orientation program for substitute teachers. The orientation should be at least two hours long and include instruction on best practices for classroom management. MSBA encourages districts to invest in professional development for substitute teachers to ensure a good experience for both the teacher and the district.

State statute now requires districts to provide substitute teachers access to a survey created by the Department of Elementary and Secondary Education (DESE), which they are required to complete. In addition, the district is required to submit information about substitutes to DESE annually.

The district may employ part-time employees and employees who will work on a substitute basis in the district. These employees must meet the same qualifications as full-time staff, must be appropriately certified or licensed when necessary, and are subject to the same policies, procedures, and other rules as full-time employees. Part-time and substitute employees must satisfactorily complete the same background checks and screenings required of full-time employees.

Substitute Employees

In accordance with law, a majority of the whole board must approve the employment of all employees, which includes substitute employees. The superintendent will present an initial list of substitute employees to the board for approval. If substitute employees are added to or removed from the list, the superintendent will submit the revised list or the individual changes to the board for approval.

The district will provide all substitute teachers access to a state survey that they are required to complete, in accordance with law. Substitute teachers under the age of 20 will not teach in grades 9 through 12.

Part-Time Employees

The superintendent or designee may create part-time employment positions in situations where the district will benefit from employing part-time staff or where full-time staff are not necessary to accomplish the district's goals. The district will employ persons in part-time positions in accordance with the district's regular hiring practices and board policy.

Job Sharing

The district may employ classroom teachers through a job-sharing arrangement in accordance with law. Classroom teachers in a job-sharing position shall receive paid legal holidays and paid leave applicable to all classroom teachers on a pro rata basis.

A job-sharing position shall mean any position that is shared with one other employee, requires employment of at least 17 and no more than 20 hours per week on a regular basis, and requires at least 70 percent of all time spent in classroom instruction. Instructional support or school services positions (such as school counselors, media coordinators, psychologists, social workers, audiologists, speech-language pathologists, and nursing positions) are not eligible for job sharing under state law but may still be employed on a part-time basis.

Employing Retirees

The district may employ persons retired and currently receiving a retirement allowance from a public retirement system, but the district shall consult with that public retirement system before hiring one of their beneficiaries.

Contracts

The contracts of all teachers employed on a regular, part-time basis must explicitly state the percentage of full-time equivalent (FTE) work for which they are contracted so that the district may accurately calculate the accumulation of tenure.

Policy GBE: STAFF HEALTH AND SAFETY

Status: DRAFT

Original Adopted Date: 04/15/2002 | Last Revised Date: 05/22/2006

24C UPDATE EXPLANATION

This policy was revised to align with the Pregnant Workers Fairness Act (PWFA), a new federal law that requires employers with 15 or more employees to provide accommodations to employees' known physical or mental conditions related to, affected by, or arising out of pregnancy, childbirth, or related medical conditions. This obligation exists even if the condition does not rise to the level of a disability. Lactation is obviously one of the physical conditions arising out of pregnancy.

Under the PWFA, it is illegal to:

1. Not make reasonable accommodations, unless the district can demonstrate that the accommodations would impose an undue hardship on the operation of business;
2. Require an employee to accept an accommodation other than a reasonable accommodation arrived at through an interactive process;
3. Deny employment opportunities to an employee because the employee needs an accommodation;
4. Require a qualified employee to take paid or unpaid leave if another reasonable accommodation can be provided to the known limitations; or
5. Take adverse employment action against a qualified employee because the employee requested or used a reasonable accommodation.

It is not necessary for an employee who is pregnant or has pregnancy-related limitations to show unfair treatment in the accommodations they are afforded compared to the accommodations afforded to other employees (previously, accommodations were sometimes denied for lack of similarly situated employees with whom to compare treatment).

For more information on the PWFA, go to <https://www.eeoc.gov/wysk/what-you-should-know-about-pregnant-workers-fairness-act>.

~~The Staff health and safety of all district personnel is~~ of vital importance to the school district. The board will seek to provide safe working conditions for all staff members and will give prompt consideration to ~~those~~ conditions that may present a threat to ~~the staff~~ health and safety of staff members. The district will respond to employee requests for reasonable accommodations ~~when an employee has a disability as defined by~~ under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act (ADA) and for known limitations related to pregnancy, childbirth, or related medical conditions under the Pregnant Workers Fairness Act. ~~All employees will receive annual training on universal precautions and the district's communicable disease policy.~~

The district will ~~only~~ make medical inquiries, require physical exams, ~~or~~ and keep medical information on ~~an~~ employees ~~only~~ in accordance with law. Medical records must be maintained on separate forms in separate medical files and shall be kept confidential.

All employees will receive annual training on universal precautions and the district's communicable disease policy.

Individuals employed by the district or through a contracted service to drive district transportation must annually ~~file~~ provide the district with a statement from a medical examiner ~~with the district~~ that indicates that they are physically qualified to operate district transportation for the purpose of transporting students. ~~A n~~ New drivers must file this statement prior to ~~his or her~~ their initial operation of district transportation.

~~Medical records must be maintained on separate forms in separate medical files and shall be kept confidential.~~

Policy GCBA: PROFESSIONAL STAFF COMPENSATION

Status: DRAFT

Original Adopted Date: 04/15/2002 | **Last Revised Date:** 09/28/2020

24D UPDATE EXPLANATION

Senate Bill 727 (2024) allows school boards to place certain teachers employed in "hard-to-staff schools" or "hard-to-staff subject areas" higher on the salary schedule to attract and retain teachers in those positions. A "hard-to-staff" school is one where more than ten percent of certificated positions were left vacant or were filled with a teacher who was not fully qualified in the prior academic year. A "hard-to-staff subject area" is a content area for which positions were left vacant or were filled with a teacher who was not fully qualified in the prior academic year. Schools that use this provision must report certain information to the Department of Elementary and Secondary Education.

It is MSBA's position that this was always legal to do, and some districts are already placing teachers with particular certification higher on the salary schedule. It is unclear whether the new law impacts this practice—particularly if the certification does not technically meet the definition of "hard to staff." MSBA encourages districts to discuss this issue with their private attorney. This new language is not required in the district's policy, but it is a legal requirement.

Please note that Senate Bill 727 also dramatically modified the minimum teacher's salary required by law. Beginning in the 2025–26 school year, teachers must earn at least \$40,000. The amount will be modified by inflation in subsequent years, capped at three percent per year.

Beginning in the 2025–26 school year, any full-time teacher with a master's degree and at least ten years of experience will earn at least \$46,000. In 2026–27, they will earn at least \$47,000, and in 2027–28 they will earn at least \$48,000. In subsequent years, the minimum salary will be modified by inflation, capped at three percent.

The policy currently states that, "All full-time teachers will be paid at least the minimum teacher's salary as required by law." Therefore, a policy change is not necessary. That said, MSBA strongly encourages districts to plan carefully for implementing this important legislative change.

The district needs highly qualified employees to accomplish its education mission and must offer competitive compensation to attract and maintain experienced professional staff in the district. The board directs the superintendent or designee to annually research regional and statewide trends in employee compensation and consult with district employees to prepare competitive salary schedules and salary recommendations for the board to consider within the constraints of the district's finances. Only the board has the authority to increase an employee's regular compensation or grant employees an extra-duty position or stipend.

As required by law, teachers will be paid in accordance with a board-adopted salary schedule. All full-time teachers will be paid at least the minimum teacher's salary as required in state law. Noncertificated professional staff and certificated staff members other than teachers will be compensated in accordance with a board-approved salary schedule or will receive the amount of compensation approved by the board for particular positions or particular employees.

All Professional Staff Salary Schedules

The board is required to adopt salary schedules for the compensation of teachers and may use a salary schedule to compensate administrative and noncertificated professional staff. When creating a salary schedule, the board may recognize characteristics beneficial to the district, such as certification in high-need areas, in addition to traditional factors, such as experience and education.

The following rules apply to all district professional staff salary schedules unless determined otherwise by the board:

1. The board will make every effort to adopt salary schedules prior to the statutory deadline for issuing teacher and administrator contracts, but salary schedules and other compensation must be determined along with the district budget no later than June 30. Any board-adopted salary schedule will remain in effect and continue to operate until the board takes action to change or eliminate the salary schedule.
2. The board may freeze the operation of the salary schedule when warranted by the financial condition of the

district or for other relevant reasons, as determined by the board. Once a salary schedule is frozen, employees will not advance on the salary schedule until the board votes to authorize movement on the salary schedule. If the salary schedule is frozen for more than one year before the board authorizes movement, employees will advance to the next step for which they were eligible at the time the schedule was frozen unless the board determines that it is financially feasible to allow employees to move through all steps missed while the schedule was frozen. Alternatively, the board may adopt a new salary schedule that accurately reflects the salary associated with the appropriate years of service.

3. An employee may not advance more than one step vertically and one column horizontally per year on the salary schedule unless such movement is allowed by the board-adopted rules and is uniformly applicable to that particular salary schedule or is otherwise approved by the board.
4. An employee cannot progress on the salary schedule after entering into a contract for a school year unless such movement is specifically authorized in the contract.
5. Education courses and other professional development may not be used to advance on a salary schedule unless the employee had prior administrative approval to take the course or participate in the professional development and count it for advancement on the salary schedule.
6. The district may recognize an employee's previous experience when placing that employee on the salary schedule. The board delegates to the superintendent or designee the authority to set guidelines on which previous experiences qualify. In addition, the district may recognize military service or work experience that the district considers beneficial to the position. Employees are responsible for fully apprising the district of their relevant background experiences when first employed in the position. Once the employee is initially placed on the salary schedule, the district is under no obligation to review the placement.

Teacher Salary Schedules

Salary Schedule Placement for Hard-to-Staff Schools and Hard-to-Staff Subject Areas

The school board may differentiate placement of teachers on the salary schedule to increase compensation in order to recruit and retain teachers in "hard-to-staff schools" or "hard-to-staff subject areas."

A "hard-to-staff" school is one where more than ten percent of certificated positions were left vacant or were filled with a teacher who was not fully qualified in the prior academic year. A "hard-to-staff subject area" is a content area in which positions were left vacant or were filled with a teacher who was not fully qualified in the prior academic year. The district may annually review and revise the schools and subject areas that are considered "hard to staff," but no modification to these classifications will result in the demotion of a teacher.

If the district elects to place certain teachers higher on the salary schedule to fill positions in hard-to-staff schools or in hard-to-staff subject areas, the district will report information to the Department of Elementary and Secondary Education as required by law.

Credit for Externship

In accordance with law, participation in a certified teacher externship program will qualify for movement on the salary schedule to the same extent and in the same manner as other graduate-level course credit.

Compensation for Extra Duties

Additional duties, such as supervising activities, may be assigned to professional staff without additional compensation. In some situations and with board approval, the district may provide an employee with extra-duty compensation or a stipend to compensate the employee for performing additional duties. In those situations, the board will determine the amount of compensation, which may be set by adopting an extra-duty salary schedule or approving a specific amount for the position.

Employee Responsibility

Employees are responsible for verifying that their salary schedule placement, compensation rate, and paychecks are accurate. Employees are required to notify the district within 30 days of receiving an inaccurate payment, and failure

to do so could lead to discipline, forfeiture of amounts owed, or deductions for excess pay received, as allowed by law.

Compensation Disbursement

In general, professional staff will be paid in equal installments over 12 months even if the employee's regular work schedule is less than 12 months. However, payment for extra duties that are seasonal or limited to a specific timeframe may be paid in the month the work was performed.

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Version GCBA-C.1E (10/24)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

§ 163.172, RSMo.	State Statute
§ 168.025, RSMo.	State Statute
§ 168.110, RSMo.	State Statute
§ 168.126, RSMo.	State Statute

Federal References

29 U.S.C. § 206(d)	Federal Statute
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Cross References

AC	PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION
DLB	SALARY DEDUCTIONS

Policy GCBDA: PROFESSIONAL STAFF SHORT-TERM LEAVES

Status: DRAFT

Original Adopted Date: 04/15/2002 | Last Revised Date: 04/18/2022

24C UPDATE EXPLANATION

This policy was revised for clarity. It was also amended to more clearly address leaves for part-time employees. Please carefully review the language to ensure it accurately reflects your district's practices. If not, please take the time to modify the policy accordingly.

This policy was also amended to align with the Pregnant Workers Fairness Act (PWFA), a new federal law that requires employers with 15 or more employees to provide accommodations to employees' known physical or mental conditions related to, affected by, or arising out of pregnancy, childbirth, or related medical conditions. This obligation exists even if the condition does not rise to the level of a disability. Lactation is obviously one of the physical conditions arising out of pregnancy.

Under the PWFA, it is illegal for an employer to:

1. Not make reasonable accommodations for a pregnant employee experiencing any limitation related to pregnancy or related conditions (a "qualified employee") unless the district can demonstrate that the accommodations would impose an undue hardship on the operation of the district's business;
2. Require an employee to accept an accommodation other than a reasonable accommodation arrived at through an interactive process;
3. Deny employment opportunities to an employee because the employee needs an accommodation;
4. Require a qualified employee to take paid or unpaid leave if another reasonable accommodation can be provided to the known limitations; or
5. Take adverse employment action against a qualified employee because the employee requested or used a reasonable accommodation.

This policy has also been revised to clarify and simplify when employees may use paid leave during extended absences. The limitation to six weeks of paid leave in case of extended absences related to pregnancy has been removed. MSBA initially put that language in the policy to encourage employees who were eligible for FMLA leave to return to work. This is still a worthy policy goal. However, some districts have had difficulty explaining to employees why they are entitled to take time off under the FMLA but they cannot use their accumulated paid leave for the absence. Further, because districts pay employees for unused leave days, some districts prefer that employees use those days. For these reasons, MSBA has altered its standard policy. However, districts may customize this language to meet the needs of the district.

Consistent contact with students and staff is important to the learning environment and district operation and therefore is an essential duty of a professional staff member's position. However, the board recognizes that there are circumstances that require an employee to miss work, and the purpose of this policy is to identify situations where paid and unpaid leave from work are appropriate.

To the extent permitted by law, the district may require an employee to provide the district verification of illness from a healthcare provider or supply other documentation verifying the absence before the district applies sick leave or other applicable paid leave to the absence. In accordance with law, the district may require an employee to present a certification of fitness to return to work whenever the employee is absent from work due to the employee's health.

The following leaves with pay will be provided to full-time professional staff employees. Regular part-time professional staff employees will receive these leaves on a pro-rata basis in proportion to the full-time equivalent (FTE) they are scheduled to work. For example, employees who work .5 FTE will receive half the number of leave days as full-time employees. This policy does not apply to temporary or substitute staff members unless otherwise noted.

1. **Sick Leave** – Professional staff employees whose assignments call for 12 months of full-time employment will receive 12 days of sick leave. All other professional staff employees will receive 10 days of sick leave. Part-

time certified ~~employees~~ ~~staff~~ who work a block schedule (work three days one week and two days the next week), will receive five days of sick leave. Unused sick leave will be cumulative to 120 sick leave days. An absence of over one but less than one-half of the scheduled workday, shall be counted as a half-day of sick leave.

Employees who miss more than one-half of the schedule workday will be charged a full day of sick leave.

Absences may be charged against sick leave for the following reasons:

- a. Illness, injury, or incapacity of the employee. The board reserves the right to require a healthcare provider's certification attesting to the illness or incapacity of the claimant and/or inclusive dates of the employee's incapacitation. The Family and Medical Leave Act (FMLA) health certification procedures apply to FMLA-qualifying absences, even if such absences are paid sick leave.
- b. Illness, injury, or incapacity of a member of the immediate family. The board defines "immediate family" to include:
 - The employee's spouse.
 - The following relatives of the employee or the employee's spouse: parents, children, children's spouses, grandparents, grandchildren, siblings, and any other family member residing with the employee.
 - Any other person over whom the employee has legal guardianship or for whom the employee has power of attorney and is the primary caregiver.(Note: "Family" for FMLA purposes is more limited.)
- c. Illness, injury, or incapacity of other relatives, with permission granted by the superintendent.
- d. Pregnancy, childbirth, and adoption leave in accordance with this policy and the law.
- e. Bereavement Leave – District ~~employees~~ ~~staff~~ may use sick leave due to the death of an immediate family member. Under bereavement, immediate family member shall consist of: spouse, parent, brothers, sisters, current brother-in-law, current sister-in-law, spouse's parent, children, grandparents, grandchildren, or any persons who are wholly dependent upon the district ~~employee~~ ~~staff member~~ or spouse. In addition, district employees may use up to two days of sick leave each year to attend funerals of persons other than those covered under immediate family members. These must receive approval from the building administrator.

~~Staff members~~ ~~Employees~~ who are ill ~~are encouraged~~ may be required to stay home to promote healing and reduce the risk of infecting others, especially during a pandemic or other significant health event. In the event of a pandemic or other significant health event, schools may be closed to all staff and students or just students. If schools are closed only to students, staff members are expected to work regular schedules or use appropriate leave.

~~A d~~ District employees may not use sick leave during the period they ~~employee~~ receives ~~W~~ workers' ~~C~~ompensation for time lost to work-related incidents.

~~Any c~~ Certified employees who ~~is a~~ are members of a retirement system shall remain ~~a~~ members during any ~~leave period of leave taken~~ under district sick leave provisions ~~of the district~~ or under ~~W~~ workers' ~~C~~ompensation. ~~The e~~ Employees shall also receive creditable service credit for such leave time if they ~~employee~~ makes contributions to the system equal to the amount of contributions that ~~he or she~~ they would have made had ~~he or she~~ they been on active service status.

2. **Personal Leave** – District employees are eligible for two days of personal leave per year for personal and/or business provided the employee informs the principal or supervisor within two weeks prior to the date of the

anticipated absence. However, 30 days' notice is required by law if the leave qualifies as FMLA leave and such notice is practical. The administrator will respond promptly to the employee's request.

Use of personal days during the months of August and May and in conjunction with school breaks is discouraged and at the discretion of the building administrator. Employees who have accumulated 120 sick leave days by July 1 of each year will be granted a third personal leave day. Personal leave is not accumulated. ~~Beginning in the 2005-2006 school year, unused~~ personal leave will roll over to accrued sick leave at the end of the school year.

Note: ~~Employees~~ ~~Staff members~~ hired after July 1 will receive one personal leave day for that fiscal year. ~~Employees~~ ~~Staff members~~ hired after March 1 are not eligible for personal leave days.

Absences may be charged against personal leave for the following reasons:

- a. Tax investigation.
- b. Court appearances, unless applicable law or policy provides for paid leave.
- c. Wedding, graduation, or funeral.
- d. Observance of a religious holiday.
- e. Conducting personal business of such a nature that it cannot be performed on a Saturday, Sunday, or before or after school hours, including parent-teacher conferences.
- f. Absences under leaves authorized by law, policy, or the board that would otherwise be unpaid including, but not limited to, leave under the FMLA.
- g. Leave for other purposes as approved by the principal.

Unless otherwise provided, the following leaves will be provided to full-time and part-time professional employees.

1. **Professional Leave** – Employees may be granted professional leave to attend classes or conferences, meet with mentors, or participate in other district-approved professional growth activities. Professional leave is not considered personal leave and must be approved by the superintendent or designee, and arranged well in advance ~~and is not considered personal leave.~~
2. **Military Leave** – The board shall grant military leave as required by law. Members of the National Guard or any reserve component of the U.S. Armed Forces who are engaged in the performance of duty or training will be entitled to a leave of absence of 120 hours in any federal fiscal year (October 1 – September 30) without impairment of efficiency rating or loss of time, pay, regular leave, or any other rights or benefits. Employees shall provide the district an official order verifying that they are required to report to duty.
3. **Election Leave** – ~~Any~~ ~~e~~Employees who ~~are~~ ~~is~~ appointed to ~~be~~ ~~as~~ an election judges pursuant to state law may be absent on any election day for the period of time required by the election authority. ~~The~~ ~~e~~Employees must notify the district at least seven days prior to any election in which they ~~employee~~ will serve as an election judge. ~~No~~ ~~e~~Employees will not be terminated, disciplined, threatened, or otherwise subjected to adverse action based on their ~~employee's~~ service as ~~an~~ election judges.
4. **Leave to Vote** – Employees who do not have three successive hours free from work while the polls are open will be granted a leave period of up to three hours to permit the employees three successive hours while the polls are open for the purpose of voting. Requests for such leave must be made prior to election day, and the employee's supervisors will designate when during the workday the leave should be taken. Any employee who properly requests leave to vote and uses the leave for that purpose will not be subject to discipline, termination, or loss of wages or salary.

5. **Jury Duty Leave** – An employee will be granted paid leave for time spent responding to a summons for jury duty, time spent participating in the jury selection process, or time spent actually serving on a jury. An employee will not be terminated, disciplined, threatened, or otherwise subjected to adverse action because of their employee's receipt of or response to a jury summons.
6. **Leave for Court Subpoena** – If the employee who receives a subpoena is directly related to their employee's schoolwork duties, the employee will be released for court appearance without loss of leave. Other court appearances will be deducted from personal leave.
7. **Firefighter Leave** – Employees will be allowed to use personal, vacation, and/or unpaid leave for any time taken to respond to an emergency in the course of performing duties as a volunteer firefighter. For the purposes of this section, "volunteer firefighter" includes members of Missouri 1 Disaster Medical Assistance Team, Missouri Task Force One, Urban Search and Rescue Team, or those activated by the Federal Emergency Management Agency (FEMA) in times of national disaster. Employees covered under this section shall not be terminated from employment for joining a volunteer fire department or for being absent from or late to work in order to respond to an emergency. Employees shall make every reasonable effort to notify the principal or supervisor if the employee may be absent from or late to work under this section. Employees are required to provide their supervisors with a written statement from the supervisor or acting supervisor of the volunteer fire department stating that the employee responded to an emergency along with the time and date of the emergency.
8. **Crime Victim Leave** – Any employee who is a crime victim, who witnesses a crime, or who has an immediate family member who is a crime victim will not be required to use vacation, personal, or sick leave in order to honor a subpoena to testify in a criminal proceeding, attend a criminal proceeding, or participate in the preparation of the criminal proceeding.
9. **Civil Air Patrol Leave** – Any employee who is a member of Civil Air Patrol and has qualified for a Civil Air Patrol emergency service specialty or who is certified to fly counternarcotics missions shall be granted unpaid leave to perform Civil Air Patrol emergency service duty or counternarcotics missions without loss of time, regular leave, or any other rights or benefits in accordance with law. The leave is limited to 15 working days in any calendar year, but is unlimited when responding to a state- or nationally declared emergency in Missouri. The district may request that the employee be exempted from responding to a specific mission.
10. **Coast Guard Auxiliary Leave** – Employees who are members of the United States Coast Guard Auxiliary will be granted an unpaid leave of absence for periods during which they are engaged in the performance of United States Coast Guard or United States Coast Guard Auxiliary duties, including travel related to such duties, when authorized by the director of auxiliary or other appropriate United States Coast Guard Authority. Such leaves of absence will be given without loss of time, regular leave, or any other rights or benefits to which such employees would otherwise be entitled. The leave is limited to 15 working days in any calendar year, but is unlimited when responding to a state- or nationally declared emergency in Missouri or upon any navigable waterway within or adjacent to the state of Missouri. The district may request that an employee be exempted from responding to a specific mission.
11. **Victims' Economic Safety and Security Act (VESSA) Leave** – Employees may take unpaid leave in accordance with law for absences related to domestic or sexual violence where an employee, an employee's family member, or a person residing in the employee's household has been the victim of domestic or sexual violence. Leave may be taken intermittently or on a reduced work schedule. Two workweeks of unpaid leave will be available in a 12-month period, except that employees of districts with fewer than 50 employees but at least 20 employees will be limited to one workweek of unpaid leave. Employees may use accumulated paid leave or compensatory time concurrently with unpaid VESSA leave. VESSA leave does not create a right for employees to take unpaid leave that exceeds the amount of unpaid leave time under FMLA. Employees are required to give 48 hours' notice of the need for leave unless such notice is not practicable. The district may require certification of the need for leave, which may include documentation from an entity aiding the victim, a police

or court record, or other corroborating evidence. Information provided by the employee in conjunction with the use of this leave will be confidential in accordance with law.

Pregnancy, Childbirth, and Adoption Leave

Employees eligible for FMLA leave for the birth, first-year care, adoption, or foster care of a child will have such leave applied in accordance with the FMLA. The district will apply to such absences any applicable paid leave the employee has accrued. Employees whose FMLA leave exceeds their applicable accrued paid leave may use unpaid leave for the remainder of the FMLA absence as allowed by law.

Employees who are ineligible for FMLA leave may take up to six weeks of unpaid leave for the birth, first-year care, adoption, or foster care of a child. The district will apply to such absences any applicable paid leave the employee has accrued. Employees who have not accrued a sufficient amount of paid leave will be provided unpaid leave.

Employees who need additional leave or other accommodations for a limitation related to pregnancy, childbirth, or related medical conditions should communicate their need for accommodation to any person who supervises, manages, or directs any of their work, and the district will afford accommodations as required by law. Additional unpaid leave may be an accommodation under the Pregnant Workers' Fairness Act (PWFA) in some circumstances, but the district will not require employees to accept leave as an accommodation without engaging in an interactive process to determine appropriate accommodations. This section creates no rights extending beyond the contracted period of employment. FMLA certification and recertification procedures apply to FMLA-eligible employees. An employee must notify the district of the need for and anticipated duration of the leave at least 30 days before leave is to begin, if foreseeable. If 30 days' notice is not practical, the employee must give as much notice as possible. A pregnant employee shall continue in the performance of her duties as long as she is able to do so and as long as her ability to perform her duties is not impaired, based on medical opinion. Employees eligible for FMLA leave for the birth, first-year care, adoption or foster care of a child will have such leave applied in accordance with the FMLA. The district shall only apply up to six weeks of accrued paid leave to such absences. Employees who are ineligible for FMLA leave may take up to six weeks of leave for the birth, first-year care, adoption or foster care of a child and may use any combination of accrued sick leave, personal leave, vacation or unpaid leave. Pregnant employees who need more than six weeks of paid or unpaid leave for a pregnancy-related incapacity must provide certification of the medical necessity for such leave.

Policy GDBDA: SUPPORT STAFF LEAVES

Status: DRAFT

Original Adopted Date: 04/15/2002 | Last Revised Date: 04/18/2022

24C UPDATE EXPLANATION

This policy was revised for clarity. It was also amended to more clearly address leaves for part-time employees. Please carefully review the language to ensure it accurately reflects your district's practices. If not, please take the time to modify the policy accordingly.

This policy was also amended to align with the Pregnant Workers Fairness Act (PWFA), a new federal law that requires employers with 15 or more employees to provide accommodations to employees' known physical or mental conditions related to, affected by, or arising out of pregnancy, childbirth, or related medical conditions. This obligation exists even if the condition does not rise to the level of a disability. Lactation is obviously one of the physical conditions arising out of pregnancy.

Under the PWFA, it is illegal for an employer to:

1. Not make reasonable accommodations for a pregnant employee experiencing any limitation related to pregnancy or related conditions (a "qualified employee") unless the district can demonstrate that the accommodations would impose an undue hardship on the operation of the district's business;
2. Require an employee to accept an accommodation other than a reasonable accommodation arrived at through an interactive process;
3. Deny employment opportunities to an employee because the employee needs an accommodation;
4. Require a qualified employee to take paid or unpaid leave if another reasonable accommodation can be provided to the known limitations; or
5. Take adverse employment action against a qualified employee because the employee requested or used a reasonable accommodation.

This policy has also been revised to clarify and simplify when employees may use paid leave during extended absences. The limitation to six weeks of paid leave in case of extended absences related to pregnancy has been removed. MSBA initially put that language in the policy to encourage employees who were eligible for FMLA leave to return to work. This is still a worthy policy goal. However, some districts have had difficulty explaining to employees why they are entitled to take time off under the FMLA but cannot use their accumulated paid leave for the absence. Further, because districts pay employees for unused leave days, some districts prefer that employees use those days. For these reasons, MSBA has altered its standard policy. However, districts may customize this language to meet the needs of the district.

Consistent staffing is important to the learning environment and district operation and therefore is an essential duty of all employees. However, the board recognizes that there are circumstances that require an employee to miss work, and the purpose of this policy is to identify situations where paid and unpaid leave from work are appropriate.

To the extent permitted by law, the district may require an employee to provide the district verification of illness from a healthcare provider or supply other documentation verifying the absence before the district applies sick leave or other applicable paid leave to the absence. In accordance with law, the district may require an employee to present a certification of fitness to return to work whenever the employee is absent from work due to the employee's health.

The following leaves with pay will be provided to full-time support staff employees. Regular part-time support staff employees will receive these leaves on a pro rata basis in proportion to the full-time equivalent (FTE) they are scheduled to work. For example, employees who work .5 FTE will receive half the number of leave days as full-time employees. This policy does not apply to temporary or substitute staff member employees unless otherwise noted.

1. **Sick Leave** – Any support staff employees whose assignments call for 12 months of full-time employment will receive 12 days of sick leave. Any support staff employees whose assignments call for 11 months of full-time employment will receive 11 days of sick leave. Support staff employees whose assignments call for full-time employment only during the regular school term (i.e., 9, 9.5, 10, or 10.5 month) will receive 10 days of sick leave. New hires beginning employment after the first month of the contract year will receive one sick day per

month left in the contract year for the first year of employment. Unused sick leave will be cumulative to 120 sick leave days. An absence of over one hour but less than one-half of the scheduled workday, shall be counted as a half-day of sick leave. Employees who miss more than one-half of the scheduled workday will be charged a full day of sick leave. Absences of less than one hour may be taken as a dock in pay or as a half-day of leave, at the discretion of the employee.

Absences may be charged against sick leave for the following reasons:

- a. Illness, injury, or incapacity of the employee. The board reserves the right to require a healthcare provider's certification attesting to the illness or incapacity of the claimant and/or inclusive dates of the employee's incapacitation. The Family and Medical Leave Act (FMLA) health certification procedures apply to FMLA-qualifying absences, even if such absences are paid sick leave.
- b. Illness, injury, or incapacity of a member of the immediate family. The board defines "immediate family" to include:
 - The employee's spouse.
 - The following relatives of the employee or the employee's spouse: parents, children, children's spouses, grandparents, grandchildren, siblings, and any other family member residing with the employee.
 - Any other person over whom the employee has legal guardianship or for whom the employee has power of attorney and is the primary caregiver.
 - (Note: "Family" for FMLA purposes is more limited.)
- c. Illness, injury, or incapacity of other relatives, with permission granted by the superintendent.
- d. Pregnancy, childbirth, and adoption leave in accordance with this policy and the law.
- e. Bereavement Leave – District employees/staff may use sick leave due to the death of an immediate family member. Under bereavement, immediate family member shall consist of: spouse, parent, brothers, sisters, current brother-in-law, current sister-in-law, spouse's parent, children, grandparents, grandchildren, or any persons who are wholly dependent upon the district employee/staff member or spouse. In addition, district employees may use up to two days of sick leave each year to attend funerals of persons other than those covered under immediate family members. These must receive approval from the building administrator.

Staff members/employees who are ill are encouraged to stay home to promote healing and reduce the risk of infecting others, especially during a pandemic or other significant health event. In the event of a pandemic or other significant health event, schools may be closed to all staff and students or just students. If schools are closed only to students, staff members are expected to work regular schedules or use appropriate leave.

A district employee may not use sick leave during the period they receive workers' compensation for time lost to work-related incidents.

Any support staff/employees who are members of a retirement system shall remain members during any leave period of leave taken under district sick leave provisions of the district or under workers' compensation. The employees shall also receive creditable service credit for such leave time if they make contributions to the system equal to the amount of contributions that he or she/they would have made had he or she/they been on active service status.

Sick Leave Buy-Back

After 120 days of sick leave is accumulated, support employees/staff members will be paid \$25 for each day above the 120 days not used at the end of the year.

Upon retiring, a support employee/staff member will be paid for accumulated sick leave at the following rate:

Secretaries - \$30 for each accumulated sick leave day
Aides - \$30 for each accumulated sick leave day
Custodians - \$30 for each accumulated sick leave day
Food Service - \$20 for each accumulated sick leave day
Transportation - \$20 for each accumulated sick leave day

To be eligible, an employee must notify the board, in writing, no later than April 15 that they are retiring at the end of the school year.

2. **Personal Leave** – District employees are eligible for two days of personal leave per year for personal and/or business provided the employee informs the principal or supervisor within two weeks prior to the date of the anticipated absence. However, 30 days' notice is required by law if the leave qualifies as FMLA leave and such notice is practical. The administrator will respond promptly to the employee's written request.

Use of personal days during the months of August and May and in conjunction with school breaks is discouraged and at the discretion of the building administrator. Employees who have accumulated 120 sick leave days by July 1 of each year will be granted a third personal leave day. Personal leave is not accumulated. ~~Beginning in the 2005-2006 school year, unused~~ Unused personal leave will roll over to accrued sick leave at the end of the school year.

Note: ~~Employees~~ Staff members hired after January 1 will receive one personal leave day for that fiscal year. ~~Employees~~ Staff members hired after March 1 are not eligible for personal leave days.

Absences may be charged against personal leave for the following reasons:

- a. Tax investigation.
- b. Court appearances, unless applicable law or policy provides for paid leave.
- c. Wedding, graduation, or funeral.
- d. Observance of a religious holiday.
- e. Conducting personal business of such a nature that it cannot be performed on Saturday, Sunday, or before or after school hours, including parent-teacher conferences.
- f. Absences under leaves authorized by law, policy, or the board that would otherwise be unpaid including, but not limited to, leave under the FMLA.
- g. Leave for other purposes as approved by the principal.

~~A d~~ District employees may not use personal leave days during the period they ~~employee~~ receives ~~W~~ workers' ~~C~~ compensation for time lost to work-related incidents.

3. **Vacation** – Any support ~~staff~~ employee whose assignment calls for 12-month employment will be entitled to 12 days of vacation for the first 10 years, 1.25 days of vacation per month from 11 to 20 years, and 1.50 days of vacation per month for over 20 years of service. ~~An e~~ Employees must submit a written request for vacation to ~~his or her~~ their supervisor and receive written authorization before taking vacation days. Support ~~employees~~ staff may not accrue more than 20 days vacation time. If the ~~employee's~~ absence may disrupt district operations, the supervisor has the discretion to deny a request for vacation or to limit the time of year ~~the employees~~ may take ~~his or her~~ vacation.

Vacations in excess of two weeks must be approved by the immediate supervisor and superintendent.

~~Employees~~ Staff members resigning with accrued vacation shall be paid for unused vacation time not to exceed 20 days.

~~A d~~ District employees may not use vacation days during the period they ~~employee~~ receives ~~W~~ workers' ~~C~~ compensation for time lost to work-related incidents.

Unless otherwise provided, the following leaves will be provided to full-time and part-time support ~~staff~~ employees.

1. **Holidays** – Holidays may be modified or eliminated as needed when the academic calendar is changed due to inclement weather or for other reasons. Holidays may change from year to year.
2. **Professional Leave** – Employees may be granted professional leave to attend classes or conferences, meet with mentors, or participate in other district-approved professional growth activities. Professional leave is not considered personal leave and must be approved by the immediate supervisor, and arranged well in advance and is not considered personal leave.
3. **Military Leave** – The board shall grant military leave as required by law. Members of the National Guard or any reserve component of the U.S. Armed Forces who are engaged in the performance of duty or training will be entitled to a leave of absence of 120 hours in any federal fiscal year (October 1 – September 30) without impairment of efficiency rating or loss of time, pay, regular leave, or any other rights or benefits. Employees shall provide the district an official order verifying that they are required to report to duty.
4. **Election Leave** – Any employees who are appointed to be an election judge pursuant to state law may be absent on any election day for the period of time required by the election authority. The employees must notify the district at least seven days prior to any election in which they employee will serve as an election judge. No employees will not be terminated, disciplined, threatened, or otherwise subjected to adverse action based on their employee's service as an election judges.
5. **Leave to Vote** – Employees who do not have three successive hours free from work while the polls are open will be granted a leave period of up to three hours to permit employees three successive hours while the polls are open for the purpose of voting. Requests for such leave must be made prior to election day, and the employee's supervisors will designate when during the workday the leave should be taken. Any employee who properly requests leave to vote and uses the leave for that purpose will not be subject to discipline, termination, or loss of wages or salary.
6. **Jury Duty Leave** – An employees will be granted paid leave for time spent responding to a summons for jury duty, time spent participating in the jury selection process, or time spent actually serving on a jury. An employees will not be terminated, disciplined, threatened, or otherwise subjected to adverse action because of their employee's receipt of or response to a jury summons.
7. **Leave for Court Subpoena** – If the employees who receive a subpoena is directly related to the employee's school their work duties, the employee will be released for court appearance without loss of leave. Other court appearances will be deducted from personal leave.
8. **Firefighter Leave** – Employees will be allowed to use personal, vacation, and/or unpaid leave for any time taken to respond to an emergency in the course of performing duties as a volunteer firefighter. For the purposes of this section, "volunteer firefighter" includes members of Missouri Disaster Medical Assistance Team-1, Missouri Task Force One, Urban Search and Rescue Team, or those activated by the Federal Emergency Management Agency (FEMA) in times of national disaster. Employees covered under this section shall not be terminated from employment for joining a volunteer fire department or for being absent from or late to work in order to respond to an emergency. Employees shall make every reasonable effort to notify the principal or supervisor if the employee may be absent from or late to work under this section. Employees are required to provide their supervisors with a written statement from the supervisor or acting supervisor of the volunteer fire department stating that the employee responded to an emergency along with the time and date of the emergency.
9. **Crime Victim Leave** – Any employees who is are crime victims, who witnesses a crime, or who has have an immediate family member who is a crime victim will not be required to use vacation, personal, or sick leave in order to honor a subpoena to testify in a criminal proceeding, attend a criminal proceeding, or participate in the preparation of the criminal proceeding.
10. **Civil Air Patrol Leave** – Any employees who is are members of Civil Air Patrol and has have qualified for a Civil Air Patrol emergency service specialty or who is are certified to fly counternarcotics missions shall be granted unpaid leave to perform Civil Air Patrol emergency service duty or counternarcotics missions without loss of time, regular leave, or any other rights or benefits in accordance with law. The leave is limited to 15 working days in any calendar year but is unlimited when responding to a state- or nationally declared emergency in Missouri. The district may request that the employees be exempted from responding to a specific mission.

11. **Coast Guard Auxiliary Leave** – Employees who are members of the United States Coast Guard Auxiliary will be granted an unpaid leave of absence for periods during which they are engaged in the performance of United States Coast Guard or United States Coast Guard Auxiliary duties, including travel related to such duties, when authorized by the director of auxiliary or other appropriate United States Coast Guard Authority. Such leaves of absence will be given without loss of time, regular leave, or any other rights or benefits to which such employees would otherwise be entitled. The leave is limited to 15 working days in any calendar year but is unlimited when responding to a state- or nationally declared emergency in Missouri or upon any navigable waterway within or adjacent to the state of Missouri. The district may request that an employee be exempted from responding to a specific mission.
12. **Victims' Economic Safety and Security Act (VESSA) Leave** – Employees may take unpaid leave in accordance with law for absences related to domestic or sexual violence where an employee, an employee's family member, or a person residing in the employee's household has been the victim of domestic or sexual violence. Leave may be taken intermittently or on a reduced work schedule. Two workweeks of unpaid leave will be available in a 12-month period, except that employees of districts with fewer than 50 employees but at least 20 employees will be limited to one workweek of unpaid leave. Employees may use accumulated paid leave or compensatory time concurrently with unpaid VESSA leave. VESSA leave does not create a right for employees to take unpaid leave that exceeds the amount of unpaid leave time under FMLA. Employees are required to give 48 hours' notice of the need for leave unless such notice is not practicable. The district may require certification of the need for leave, which may include documentation from an entity aiding the victim, a police or court record, or other corroborating evidence. Information provided by the employee in conjunction with the use of this leave will be confidential in accordance with law.

Pregnancy, Childbirth, and Adoption Leave

Employees eligible for FMLA leave for the birth, first-year care, adoption, or foster care of a child will have such leave applied in accordance with the FMLA. The district will apply to such absences any applicable paid leave the employee has accrued. Employees whose FMLA leave exceeds their applicable accrued paid leave may use unpaid leave for the remainder of the FMLA absence as allowed by law.

Employees who are ineligible for FMLA leave may take up to six weeks of unpaid leave for the birth, first-year care, adoption, or foster care of a child. The district will apply to such absences any applicable paid leave the employee has accrued. Employees who have not accrued a sufficient amount of paid leave will be provided unpaid leave.

Employees who need additional leave or other accommodations for a limitation related to pregnancy, childbirth, or related medical conditions should communicate their need for accommodation to any person who supervises, manages, or directs any of their work, and the district will afford accommodations as required by law. Additional unpaid leave may be an accommodation under the Pregnant Workers' Fairness Act (PWFA) in some circumstances, but the district will not require employees to accept leave as an accommodation without engaging in an interactive process to determine appropriate accommodations. This section creates no rights extending beyond the contracted period of employment. FMLA certification and recertification procedures apply to FMLA-eligible employees. An employee must notify the district of the need for and anticipated duration of the leave at least 30 days before leave is to begin, if foreseeable. If 30 days' notice is not practical, the employee must give as much notice as possible. A pregnant employee shall continue in the performance of her duties as long as she is able to do so and as long as her ability to perform her duties is not impaired, based on medical opinion. Employees eligible for FMLA leave for the birth, first-year care, adoption or foster care of a child will have such leave applied in accordance with the FMLA. The district shall only apply up to six weeks of accrued paid leave to such absences. Employees who are ineligible for FMLA leave may take up to six weeks of leave for the birth, first-year care, adoption or foster care of a child and may use any combination of accrued sick leave, personal leave, vacation or unpaid leave. Pregnant employees who need more than six weeks of paid or unpaid leave for a pregnancy-related incapacity must provide certification of the medical necessity for such leave.

Policy IGBA-1: SPECIAL EDUCATION

Status: DRAFT

Original Adopted Date: 04/15/2002 | Last Revised Date: 09/24/2018

24C UPDATE EXPLANATION
(Version 1)

Senate Bill 681 (2022) amended § 167.225, RSMo., to include the "Blind Students' Rights to Independence, Training, and Education Act," or BRITE Act. The BRITE Act requires districts to provide students who are blind or visually impaired instruction in Braille reading and writing, assistive technology, and orientation and mobility as part of the student's individualized educational program (IEP), unless the IEP team determines that such instruction is not appropriate. The district is prohibited from denying students instruction solely because they have some remaining vision.

The amended law is ten pages long and is very prescriptive on how the IEP team makes the determination that instruction is necessary, what is included in the student's IEP, and how the instruction will be delivered. Of particular note is the requirement that students are allowed to transport assistive technology to and from school or that a separate device be provided to the family without cost to the family or assumption of liability for loss or damage. In addition, some of the instruction on orientation and mobility must occur outside the school "during daytime and nighttime and around the home, school, and community as determined age appropriate." MSBA does not put this level of detail in policy but strongly encourages district staff to receive training on the requirements of the BRITE Act.

MSBA has added § 161.396, RSMo., known as the Language Equality and Acquisition for Deaf Kids (LEAD-K) Act to the legal references. This law was passed in 2023 and requires the Department of Elementary and Secondary Education (DESE) to create developmental milestones for children who are deaf or hard of hearing and select tools or assessments for educators to use to assess the language and literacy development of these students. The goal is to increase literacy in these students at a young age. If a deaf or hearing-impaired student does not demonstrate progress in language skills, the student's IEP team must explain in detail in the IEP team meeting the reasons the student is not progressing and recommend strategies, services, and programs that will be provided to the student.

While the LEAD-K Act does impact school districts, and the appropriate district staff should be trained on its requirements, MSBA has not referenced it within the policy because the policy already requires districts to comply with state law. MSBA recommends that the district invest in training for these staff members on this law.

MSBA has also rewritten the section titled "Children Three to Five Years of Age" to clarify a complicated concept. Federal special education law gives school districts a choice as to whether they will allow young students to be identified as a Young Child with a Developmental Delay (YCDD). This disability category allows for young students who are obviously struggling to receive special education services based on the professional judgment of the district staff, as opposed to specific disability criteria. Likewise, the law gives districts a choice as to whether the student will continue to be identified as YCDD once the student becomes eligible for kindergarten or whether the student will become ineligible for special education unless they qualify another way. However, by law, students who were not identified as YCDD prior to kindergarten cannot be designated as such once they begin kindergarten. No student may be receiving special education services under the YCDD category once the student becomes age-eligible for first grade (age 6 before August 1). That means students who had been previously identified as YCDD must meet the eligibility criteria for a specific disability to continue to receive special education services.

Why is the YCDD label so regulated? It is possible to provide more children services under YCDD, but those services also come at a cost, some of which must be paid by the local district. That is why this category is so restrictive and why the state has allowed individual districts to make this choice. Because districts have a choice, this policy language documents the district's choice. For more information on the district's choices, go to page 40 in the Missouri State Plan for Special Education, Part B, 2023: <https://dese.mo.gov/media/pdf/missouri-state-plan-special-education-part-b-2023>.

It is the policy of the board of education to provide a free and appropriate public education (FAPE) for students with disabilities who are in need of special education and related services in accordance with the Individuals with Disabilities Education Act (IDEA), the Missouri State Plan for Special Education (State Plan), the district's local compliance plan, and applicable state and federal laws.

Child Find

The district has an obligation to locate, identify, and evaluate children in the district between the ages of 3 and 21 who may need special education and related services, including children who are wards of the state, are homeless, or attend private schools located within the boundaries of the school district. Any individual who knows or believes that a student has a disability and is in need of accommodation or special education should contact the school's principal or the district's special education director immediately.

The district will notify all parents/guardians and students of its obligations under this policy and the law. The district will also utilize public media and other postings to notify the public of the district's legal obligations as required by law.

Evaluation and Identification

The special education director will arrange for district students and children who are not enrolled in the district but who may need special education services to be evaluated to determine their eligibility for special education services in accordance with the law and state and local plans.

Specific Learning Disabilities

The board authorizes the special education director to use a discrepancy model, including the use of professional judgment or a response to intervention (RTI) model, for identifying students with specific learning disabilities (SLD).

Children Three to Five Years of Age

When identifying children three to five years of age who qualify for special education but are not yet eligible for kindergarten, the district will use any of the disability categories, including that of Young Child with a Developmental Delay (YCDD). When a child so identified reaches kindergarten age, his or her eligibility will continue to be determined using any of the disability categories, including that of YCDD. A child who is not identified as eligible for special education services prior to reaching kindergarten age will be identified using disability categories excluding that of YCDD. The district will identify for special education services children who are three to five years old and not yet eligible for kindergarten. To do so, the district will use the available identification categories included in the Missouri State Plan for Special Education (State Plan), including the category of "Young Child with a Developmental Delay" (YCDD). Every child who has been identified for special education services will remain eligible for special education services after becoming age-eligible for kindergarten. The district will comply with the requirements of the State Plan.

Independent Evaluations

If a student is evaluated for special education services and the parents/guardians disagree with the evaluation, the parents/guardians may obtain an independent educational evaluation (IEE) at the district's expense, as allowed by the IDEA. Applicable procedures, evaluator criteria, and location and cost limitations governing the IEE process are available through the district's special education director. The board delegates to the superintendent or designee the authority to make changes to these procedures, evaluator criteria, and cost guidelines. These items will adhere to rules published in the Missouri State Plan and the local plan for compliance with the law.

Services for Students with Visual Impairments

As required by law, and unless the individualized education program (IEP) team determines that such instruction is not appropriate, each student who is blind or visually impaired will receive instruction in:

1. Braille reading and writing;
2. Assistive technology;
3. Expanded core curriculum; and
4. Orientation and mobility.

No student will be denied such instruction solely because the student has some remaining vision.

Students Placed in Private Schools by Their Parents/Guardians

For the purpose of this policy, a "private school" is defined to include home schools and religious/parochial schools.

In general, the district has no obligation to provide FAPE or special education and related services to any individual students enrolled in a private school by his or her their parents/guardians. The district will expend a proportionate amount of its IDEA Part B funds on the group of privately placed students as a whole, as required by law.

The district will work with private schools located within its boundaries to identify and evaluate students attending the private schools who may be eligible for special education services. When a student is determined eligible, the district will offer to enroll the student and provide the student special education and related services in the district.

Parents/Guardians of a student previously enrolled in the district who choose to unilaterally place the student in a private school without district consent due to a dispute regarding FAPE will not be reimbursed for tuition costs except as required by law.

Extended School Year

Extended school year (ESY) services may be necessary to provide a child with a disability FAPE pursuant to law. The individualized education program (IEP) team will consider ESY services for all special education students eligible for services under the IDEA, but ESY services will only be provided only if the student is found eligible in accordance with this policy.

A student will be eligible for ESY services if, based on the available data, the student needs services beyond the regular school day or term to avoid regression that will interfere with the student's ability to continue to progress in the curriculum. This determination will be based on consideration of the following:

1. The nature and severity of the student's disability.
2. The areas of learning crucial to the child's attainment of self-sufficiency and independence.
3. The student's progress.
4. The student's behavioral and physical needs.
5. Opportunities the student will have to practice skills outside the formal classroom setting without ESY services.
6. Availability of alternative resources.
7. Areas of the student's curriculum that need continuous attention.
8. Ability of the student's parents/guardians to provide educational structure.
9. Particular curricular or vocational needs of the student.
10. Opportunity for the student to interact with nondisabled children.

The length, nature, and type of ESY services will be determined by the IEP team and addressed in each student's IEP. If at the time the IEP is developed it is unreasonable to predict eligibility for ESY services at the time the IEP is developed, the IEP team will meet after sufficient time has passed for the team to make an informed decision about ESY services, but not later than six weeks prior to the end the last calendar day of the regular school term.

Mediation

The board of education authorizes the special education director to legally bind the school district to a mediation agreement developed in accordance with the IDEA and Missouri law and further authorizes the special education director to contact an attorney for legal advice prior to making any decisions. In the absence of the special education director, the superintendent is authorized to perform his or her the duties under this section.

Resolution

The board of education designates the special education director to represent the school district in resolution meetings and gives the special education director decision-making authority on behalf of the district. The special education director has the authority to sign and legally bind the district to a settlement agreement reached at the resolution meeting. In the absence of the special education director, the superintendent is authorized to perform ~~his~~ ~~or her~~ the duties under this section. All other settlement agreements must be approved by the board.

Policy IGBE-1: STUDENTS IN FOSTER CARE

Status: DRAFT

Original Adopted Date: 02/25/2013 | Last Revised Date: 09/24/2018 | Last Reviewed Date: 09/24/2018

24C UPDATE EXPLANATION
(Version 1)

The Missouri state legislature amended § 167.019, RSMo., to include the ten-day deadline for determining the best interest of a child for purposes of school district placement under certain circumstances. The new language applies when a student is placed in foster care outside the student's school district of origin and the distance between the student's school of origin and the residence of foster placement is at least ten miles, or if the student is receiving services from a special school district, fifteen miles.

(K-12 Districts)

The district recognizes that students in foster care face unusual educational challenges. The purpose of this policy is to provide foster care students with educational stability and remove barriers to, and provide opportunities for, academic excellence for foster care students. In order to achieve this purpose, the district will work collaboratively with the Missouri Department of Elementary and Secondary Education (DESE) and the Children's Division (CD) of the Missouri Department of Social Services.

Definitions

Foster Care – Twenty-four-hour substitute care for children placed away from their parents/guardians and for whom the CD has placement and care responsibility. This includes, but is not limited to, placement in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, childcare institutions, and pre-adoptive homes, regardless of whether the home, shelter, facility, or institution is licensed or receives payments from the state.

Foster Care Student – Any pre-K-12 student who is residing in a foster care setting in this state or who is awaiting foster care.

School of Origin – The school or preschool in which the student was enrolled at the time of placement in foster care. If the student's placement changes, the school of origin is the school or preschool in which the student was enrolled at the time of the change.

Liaison/Point of Contact

The district designates the following individual as the liaison for foster care students:

Special Services Director
206 S Roney St., Carl Junction, MO 64834
Phone: (417)649-7026 / Fax: (417)649-6594
Email: rduke@cjr1.org

The liaison will provide assistance regarding all aspects of the enrollment, placement, transfer, and withdrawal of children in foster care and serve as the point of contact for DESE and the CD. The liaison will also work with DESE and the CD to implement the district's complaint resolution process.

Enrollment and Placement of Foster Care Students

Students in a foster care placement located within the district's boundaries of the district will be educated in the school of origin unless it is not in the best interest of the student to do so. As students placed in the school of origin will remain in the school of origin for the duration of the time he or she is they are in foster care. If it is not in the best interest of the student to stay in the school of origin, the district will immediately enroll the student, even if the student is unable to produce records normally required for enrollment, and will contact the school of origin to obtain relevant records.

Foster care students who attend school in the district because attending the school of origin was not in their best interest will be initially placed in the same courses and programs the students were in while attending the previous

district to the extent this district offers such courses and programs. Such placements may include, but are not limited to: honors classes; vocational, technical, and career pathway courses; and International Baccalaureate (IB), Advanced Placement (AP), English Learner (EL), special education, and gifted programs. If necessary, the district will waive course or program prerequisites or other preconditions for placement in courses or programs offered at the district. After placement, the district may perform additional evaluations to ensure that the student has been placed appropriately and may change the student's placement after consultation with the student's foster parent.

Best Interest Determination

Placement

Within three days of the student enrolling, the liaison will organize a meeting or consultation to determine which placement is in the student's best interest of the student. The meeting or consultation will include a representative of the CD; the foster parents; a representative from the school of origin; the parents/guardians and student, if appropriate; and any other person requested by the student, the foster parents, or the CD who has a special relationship with the student. These individuals will be considered the best interest determination (BID) team and, using child-centered criteria, including the appropriateness of the current educational setting and proximity to the school in which the student is enrolled at the time, will determine the best placement for the student. Transportation costs will not be a factor. If the BID team cannot reach a consensus regarding the best placement, the representative from the CD will make the final determination.

If a foster student is placed in a foster home that is not in the district of the student's school of origin, placement in the school district in which the student was placed for foster care is deemed to be in the student's best interest if:

1. The best interest determination has not been completed within ten days of the student's placement; and
2. The distance between the school of origin and the foster home placement is greater than ten miles (or fifteen miles if the district is served by a special school district).

The district of placement may bill the district of residence for local tax effort in accordance with law.

Dispute Resolution

If the legal, putative, or biological parent (parent) or educational decision maker disputes that the placement assigned by the BID team or CD is in the student's best interest, the parent or educational decision maker ("disputant") may contact the liaison to implement the dispute resolution process. The liaison will provide the disputant with a copy of the district's dispute resolution procedures and answer any questions about the resolution process.

Transportation

If the BID team determines that the school of origin is the best placement for a foster care student, the student will be transported to the school of origin in accordance with the transportation plan developed in collaboration with the CD. Transportation will be provided promptly and in a cost-effective manner in accordance with law. If there are additional costs incurred by the school of origin, the costs will be paid by the CD or the district or shared by the CD and the district.

Transportation Disputes

Disputes over transportation will be handled in the same manner as disputes over placement.

Records

The foster care liaison will provide foster parents and other legal guardians access to student records. In accordance with law, the district will allow a child-placement agency access to a foster care student's records for the purposes of assisting the school transfer or placement of a student and fulfilling educational case management responsibilities required by the juvenile officer or by law.

The liaison will ensure that student records are properly transferred between the district and any other district from or to which foster students transfer. When a request involves a foster care student, the liaison will:

1. Respond within three business days to a request for records by another district, and

2. Request records from other districts within two days of enrolling a student.

Attendance

If a student in foster care is absent from school due to a decision by a court or child-placing agency to change the student's placement or due to a verified court appearance or related court-ordered activity, the grades and credit of the student will be calculated as of the date the student left school, and the district will not lower the student's grade as a result of absence under these circumstances.

Programs and Activities

The district will encourage foster care students to participate in extracurricular activities and assist them in joining extracurricular activities. Locally imposed application deadlines for participation in extracurricular activities will be waived for foster care students who are otherwise eligible to participate in the activities. Participation in activities governed by the Missouri State High School Activities Association (MSHSAA) will be permitted in accordance with the rules established by MSHSAA. Foster care students are automatically eligible for participation in the district's free nutrition program.

Graduation

In order to facilitate timely graduation of foster care students, the district will:

1. Waive specific courses required for graduation if similar coursework has been satisfactorily completed in another school. If such coursework is not waived, the district will provide reasonable justification for the denial.
2. Accept the results of exit exams, end-of-course exams, nationally norm-referenced tests, or alternative testing from another school to satisfy district testing requirements related to graduation.
3. Accept for credit full or partial coursework completed at the previous school attended in accordance with district policy.

If a foster care student who enrolls in the district at the beginning of or during his or her senior year cannot meet the district's graduation requirements by the end of their senior year, even after all alternatives have been considered, the liaison will contact their student's previous district to determine whether they student is eligible to receive a diploma from the previous school.

The district will award a diploma to foster care students who transfer out of the district at the beginning of or during the senior year if, considering all courses, tests, and attendance at the school to which the student transferred, they student has met the district graduation requirements.

Policy IGBI: HOME SCHOOLING

Status: DRAFT

Original Adopted Date: 04/15/2002

24D UPDATE EXPLANATION

This policy was updated for clarity and to conform with legal changes under Senate Bill 727 and House Bill 2287 (2023).

These bills, read together, created a formal (and quite detailed) definition of home schooling for some legal purposes, but not all. Likewise, these bills created the term "Family Paced Education" or FPE, which is a home school that receives public funds through the state's tax-credit voucher program, the Missouri Empowerment Scholarship Accounts Program. These vouchers can be used for tuition to attend private schools, but they can also be used by homeschooling families for curriculum, educational therapies, tutors, test fees, and other educational expenses.

The legislature adopted this term to separate home schools that accept public funds (FPEs) from home schools that do not because some homeschooling families are concerned that accepting vouchers will lead to more government regulation of students educated at home.

The difficulty with these definitions is that they do not apply to all state and federal statutes that reference homeschooling and have the potential to confuse district staff and the public who are not familiar with what an FPE is. For this reason, MSBA has decided to reference an FPE in this policy, as opposed to all of the policies that reference homeschooling in the district's manual.

In addition, §167.042, RSMo., allows parents/guardians, or custodians who are lawfully providing homeschooling instruction to their child the option to submit a declaration of enrollment to the local school district or local recorder of deeds to minimize any unnecessary investigations for educational neglect. It should be emphasized that this declaration is optional and is not required by law.

For many years, MSBA has had a sample declaration form (see IGBI-AF1). MSBA forms can be found on its website at <https://www.mosba.org/page/policy> under "Policy Samples." The standard forms are also available on MSBA's Simbli Core Manual.

The district recognizes the right of parents/guardians to choose to educate their children outside the public school system but encourages parents/guardians who homeschool their children to meet with district staff and explore educational opportunities within the district. District staff are directed to conduct outreach to homeschooling families to ensure that they have knowledge of all the district's programs.

In lieu of regular school attendance in the district, a child may be excused from compulsory school attendance if the child is provided with home schooling as authorized by Missouri law. Any alleged violation of the compulsory education law shall be referred to the prosecuting attorney of the county where the child legally resides. For the purposes of this policy, the term "home schooling" will include both formal education of a student in their home or other private setting by parents/guardians or a tutor as well as Family Paced Education (FPE), where the student is home schooled but also participates in the state's tax credit voucher program, the Missouri Empowerment Scholarship Accounts Program.

Written Declaration

To minimize unnecessary truancy investigations, parents/guardians or others who home school a child living in the district may provide the district with a written and signed declaration of enrollment. Such declaration should state their intent for the child to attend a home school, be provided to the district within 30 days of establishing the home school, and be resubmitted annually by September 1. District staff who receive a declaration of enrollment must forward it to the district's central office.

State References

§ 167.031, RSMo.

§ 167.042, RSMo.

§ 210.167, RSMo.

Cross References

JEA

Description

[State Statute](#)

[State Statute](#)

[State Statute](#)

Description

[COMPULSORY AND PART-TIME ATTENDANCE](#)

Policy IGCD: VIRTUAL COURSES

Status: DRAFT

Original Adopted Date: 10/22/2018 | Last Revised Date: 04/17/2023

24D UPDATE EXPLANATION

MSBA has updated this policy to reflect changes made to the law by Senate Bill 727 (2024) and in Department of Elementary and Secondary Education (DESE) regulations pertaining to the Missouri Course Access and Virtual School Program (MOCAP).

The most substantive changes in the law were to the section regarding approving or denying enrollment in a virtual course. The DESE regulations specify that districts cannot deny enrollment in a MOCAP course simply because district staff members prefer a different program or do not approve of virtual learning. The regulations also specify that districts have ten business days to make a decision about MOCAP enrollment unless the student has an individualized education program or a Section 504 plan.

The regulations also broaden the right to appeal for a student who is denied access to a virtual course. The regulations seem to allow for an appeal to the school board, which must make a decision on an appeal "within 30 days." It is unclear from the regulations' language when that 30-day window begins. MSBA believes it begins when a request for an appeal to the board is made and has stated so in the policy. However, because this is not explicitly stated in the regulations, the district may want to discuss this question with its private attorney.

Please note that this policy allows students who are to be enrolled in MOCAP courses to participate in district extracurricular activities. This is not required by law. The district may change the "Eligibility for Extracurricular Activities" to comply with district practice. Given the increase in virtual education—particularly in a staffing shortage—MSBA recommends that all students enrolled in the district be allowed to participate in extracurricular activities.

This policy governs part-time enrollment with a hosted Missouri Course Access and Virtual School Program (MOCAP) provider, full- and part-time enrollment with other MOCAP providers, and enrollment in other virtual course options provided through the district. Students who seek full-time enrollment with a hosted MOCAP provider must enroll pursuant to policy IGCD.A.

Definitions

Full-Time Virtual Course Enrollment – The instructional equivalent of six credits per regular term.

Hosted MOCAP Provider – A public school district, charter school, or higher education institution that is registered through the Department of Elementary and Secondary Education (DESE) to provide virtual education through the MOCAP program to Missouri students. A host district may provide the courses directly or contract with a course provider to provide the courses.

MOCAP Provider – An entity listed by DESE as part of the virtual course program under § 161.670, RSMo., that provides virtual courses for elementary and/or secondary students.

Virtual Course – A single class that is designed to deliver all or most of the curriculum electronically. Students may be separated from their instructor or teacher of record by time, location, or both.

General

The district may offer virtual courses to students through district staff or by contracting for those services as part of the district-sponsored curriculum. Students may also enroll in virtual courses offered through MOCAP providers. This could result in entire course loads that are provided through virtual courses from the district, district-selected, and/or MOCAP providers while the student remains enrolled in the district.

Students may also take virtual courses from other sources at their own expense. Before a student independently enrolls in and pays for virtual courses not otherwise accessible through the district, the district recommends that the student meet with district staff to ensure that the course aligns with the student's education goals and that the district will accept the course credit.

Virtual Course Enrollment

A student or parent/guardian must receive district approval before the student may enroll in virtual courses provided by or paid for by the district or through MOCAP.

Enrollment in courses offered through MOCAP may be denied only if the principal or designee, in consultation with the student's parents/guardians and relevant staff, determines that it is not in the student's best educational interest to enroll in the course. The principal or designee will consider available opportunities for in-person instruction and the student's prior participation in virtual courses when making this decision. **As required by law, the district allows for continuous enrollment in MOCAP courses throughout the year.** District staff will not deny enrollment in a MOCAP course because they do not approve of virtual learning in general or because they prefer a different virtual course or program.

The principal or designee will approve or deny requests to enroll in a MOCAP course within **the timeframe required by law** ten business days from when the district receives the request unless the student has an individualized education program (IEP) or a Section 504 plan. If the principal or designee fails to make a decision about an enrollment request within ten business days, the request will be deemed approved.

When denying student enrollment in a virtual course, the principal or designee will provide good cause reason for the decision, as well as information on how to appeal the denial.

Enrollment Decision ReviewAppeal

The principal or designee will notify the student and the parents/guardians in writing when declining student enrollment in a virtual course and provide an explanation for the decision. The student or parent/guardian may request that the superintendent review the decision, but the superintendent's decision is final. Students or their parents/guardians may appeal to the superintendent. If the superintendent affirms the principal's decision, students or their parents/guardians may appeal the decision to the school board. The school board will make a decision within 30 days of the request for an appeal to the board.

Students with Disabilities

A student's **individualized education program (IEP)** team or Section 504 team will make the virtual course enrollment decisions for students with IEPs or Section 504 plans. If enrollment is appropriate, the IEP or Section 504 team will determine the services, aids, supports, **and accommodations, and modifications** required. Any review of a decision made by an IEP or Section 504 team must go through the process provided under federal law.

If the course enrollment is approved, the district staff will work closely with the virtual course provider to develop and implement a monitoring protocol or process to ensure that the provider is implementing the IEP or Section 504 plan. If the provider fails to implement the IEP or Section 504 plan, or the IEP or Section 504 team otherwise determines that the online program is not appropriate for the student, the IEP or Section 504 team may reconsider approval for the virtual course at any time. In all cases in which the IEP or Section 504 team determines that the provider has failed to provide the required accommodations or modifications, the district will provide to the virtual course provider the reasons for discontinuing the online program.

Continuous Enrollment

As required by law, the district allows for continuous enrollment in MOCAP courses throughout the year.

Attendance and Completion

Students who enroll in district-sponsored virtual courses or MOCAP courses through the district are expected to actively participate in those courses with the goal of completing the course. If a student does not actively participate in a course or is not progressing in the course, the district may remove the student from the virtual course and consider the student's performance when making decisions regarding future virtual course enrollments.

Students enrolled in a district-sponsored course or MOCAP course through the district will be considered in attendance for state aid purposes in accordance with law. A completed virtual course or MOCAP course shall be counted as no less than 95 percent attendance for purposes of A+ Scholarship Program eligibility.

Eligibility for Extracurricular Activities

Students enrolled in virtual courses offered through the district or through MOCAP under this policy are considered district students and are eligible to participate in extracurricular activities unless restricted by the Missouri State High School Activities Association.

State Assessments

Students are required to take the state assessments, including district-administered EOC examinations, regardless of whether the course for which the examination is required was taken virtually or in person.

Credit

The district will accept all grades and credits earned through district-sponsored virtual instruction and MOCAP providers. Credits obtained from other sources will be recognized in accordance with policy JECC.

Notice

District-provided and district-sponsored virtual courses will be advertised in the district's course catalog.

The district will inform students and parents/guardians of MOCAP program availability in parent/guardian handbooks and registration documents and feature the program on the homepage of the district's website, as required by law. The district will provide every student enrolled in the district and parents/guardians with a copy of DESE's MOCAP guidance document at the beginning of the each school year or upon at the time of enrollment for students who enroll after the start of the school year. In addition, the district will provide a readily viewable link to the guidance document on the main page of its website.

Payment

The district will pay the tuition for MOCAP courses when required by law to do so but is not otherwise required to pay the tuition for a student to attend a virtual course unless the course is approved by the district as part of the district's course offerings.

Virtual Course Behavior and Expectations

Students taking courses virtually are subject to district policies, procedures, and rules applicable to students enrolled in traditional courses including, but not limited to, the district's code of conduct and prohibitions on academic dishonesty, discrimination, harassment, bullying, and cyberbullying.

When students are participating in virtual courses, what can be seen and heard electronically from the student's location becomes part of the district's education environment. Students are responsible for ensuring that what is seen, heard, or otherwise communicated is appropriate for the learning environment and not disruptive. The district's code of conduct applies to virtual in-class behavior. Student speech that is prohibited on campus is also prohibited in the virtual classroom.

Students may electronically display everyday items that they would be prohibited from possessing at school (such as pets, toys, or objects forming typical room décor) as long as the display does not disrupt learning.

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Version IGCD-C.1D (10/24)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

§ 161.670, RSMo.

Description

[State Statute](#)

Federal References

20 U.S.C. § 1400-1417
29 U.S.C. § 794
34 C.F.R Part 104
34 C.F.R Part 300
42 U.S.C. §§ 12101-12213

Cross References

AC
BDC
BDDH-2
JEA
JECC-1
JFCF
JHD

Description

[Individuals with Disabilities Education Act](#)
[Section 504 of the Rehabilitation Act of 1973](#)
[Section 504 of the Rehabilitation Act of 1973](#)
[Individuals with Disabilities Education Act](#)
[Americans with Disabilities Act](#)

Description

[PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION](#)
[CLOSED MEETINGS, RECORDS, AND VOTES](#)
[PUBLIC PARTICIPATION AT BOARD MEETINGS](#)
[COMPULSORY AND PART-TIME ATTENDANCE](#)
[ASSIGNMENT OF STUDENTS TO GRADE LEVELS/CLASSES](#)
[BULLYING](#)
[STUDENT COUNSELING PROGRAM](#)

Policy IGCD: FULL-TIME MOCAP VIRTUAL COURSES

Status: DRAFT

Original Adopted Date: 06/22/2021 | **Last Revised Date:** 04/17/2023

24D UPDATE EXPLANATION

MSBA has modified this policy to reflect changes in the law made by Senate Bill 727 (2024) and DESE regulations pertaining to the Missouri Course Access and Virtual School Program (MOCAP). Keep in mind that this policy applies to students seeking to enroll full-time in MOCAP with a course provider that is a public school district, charter school, or higher education institution (a "hosted MOCAP provider"). At the time of this publication, the hosted MOCAP providers are:

- Greenways Academy-Boonville R-1 School District
- Launch-Springfield Public Schools
- Missouri Connections Academy-Sturgeon R-V School District
- Missouri Digital Academy-Laquey R5 School District
- Missouri Virtual Academy-Grandview R-II School District
- R7 Online Academy-Lee's Summit R-7 School District

If a student is not enrolling full-time in one of these districts, see policy IGCD for part-time enrollment with a hosted MOCAP provider, full- or part-time enrollment with other MOCAP providers, or enrollment in other virtual course options provided through the district.

Some key changes:

1. Senate Bill 727 requires parents/guardians and students to enroll directly in full-time virtual schooling through hosted MOCAP programs. Previously, all students had to go through the resident district to establish residency before enrolling. Now the host district is responsible for determining whether the student is a resident and whether the student can enroll. The district may submit relevant information and input about the enrollment to the host district but must do so within ten business days of notice that the student is seeking enrollment.
2. The host district will initiate the individualized education program (IEP) team process. While an IEP team will still determine whether enrollment is appropriate, the host district, rather than the resident district, will initiate that process and determine which services are necessary. The resident district is not required to provide these services. However, the law does allow for the host district to contract with the resident district to provide services if the resident district is compensated. MSBA strongly recommends that districts consult with their private attorneys prior to entering into such an agreement.
3. If a hosted MOCAP provider "disenrolls" a student, the provider is required to notify the district. The district then has five business days to provide parents/guardians with a list of available education options within the district.
4. MSBA encourages districts to examine the "Eligibility for Extracurricular Activities" section. This paragraph is not required by law and may be removed or modified. Students attending MOCAP under this policy are not considered to be enrolled in the district, and it therefore makes sense to exclude them from participating in extracurricular activities to the same extent that other unenrolled students are excluded. However, legislators have filed bills to mandate that districts allow these students to participate. These bills have NOT passed, but districts should be aware that this area may be regulated in the future. Your district may want to consider allowing resident MOCAP students to participate in some district extracurricular activities. If so, this section will need to be customized.

This policy applies to students seeking to enroll full-time in the Missouri Course Access and Virtual School Program (MOCAP) with a course provider that is a public school district, charter school, or higher education institution (a "hosted MOCAP provider"). See policy IGCD for part-time enrollment with a hosted MOCAP provider, full- or part-time enrollment with other MOCAP providers, or enrollment in other virtual course options provided through the District.

Definitions

District – The Carl Junction R-I School District.

Education Services Plan and Collaborative Agreement (ESP) – A plan for providing educational services to virtual students. The plan may require the resident school district to provide the student with support services or access to school facilities.

Full-Time MOCAP Student – A student who is enrolled in a MOCAP program for the instructional equivalent of six credits per regular term.

Hosted MOCAP Provider – A public school district, charter school, or higher education institution that is registered through the Department of Elementary and Secondary Education (DESE) to provide virtual education through the MOCAP program to Missouri students. A host district may provide the courses directly or contract with a course provider to provide the courses.

Missouri Course Access and Virtual School Program (MOCAP) Course – A virtual course that is offered by a course provider listed by DESE as part of the virtual course program under § 161.670, RSMo.

Hosted MOCAP Providers

Resident students who seek to enroll with a hosted MOCAP provider on a full-time basis without paying tuition must first enroll with the District enroll directly with the MOCAP provider and host district offering the program. Students who are accepted by the hosted MOCAP provider will have their enrollment transferred to the host district, and the student will be considered a student of the host district for all purposes.

The District will collaborate in good faith with the virtual program and the host district to determine whether it is in the best educational interest of the student to enroll full-time in a MOCAP program and will cooperate to create an education services plan and collaborative agreement for a resident student. The superintendent or designee will may provide relevant information and input on the student's enrollment within ten business days of notice of the student's enrollment application. The collaborative team will consider all relevant factors, including available opportunities for in-person instruction.

Students who are denied enrollment by the MOCAP provider may utilize the state process for reviewing the decision.

Students with Disabilities

A student's individualized education program (IEP) or Section 504 team will make the initial decision on whether the student with an IEP or Section 504 plan is approved to enroll full-time in virtual courses, including MOCAP courses. Any appeal of a decision made by an IEP or Section 504 team must follow the process provided under federal law. It is the hosted MOCAP provider's responsibility to accommodate students with disabilities and implement students' individualized education programs (IEPs) or Section 504 plans. The District may enter into a contract to provide services to resident students enrolled in these programs if fully compensated by the enrolling host district, but it is not required to do so.

Education Services Plan and Collaborative Agreement

Once enrollment is approved, the District will work with the host district and MOCAP course provider to create an education services plan and collaborative agreement for support of the student. For special education students, the student's IEP governs the plan. If the plan requires the District to provide the student with services or access to District facilities, the District will seek reimbursement by the host district as allowed by law.

Access to District Facilities

Students of full-time hosted MOCAP providers may be allowed access to District facilities for all or some portion of instructional activity if the hosting district reimburses the District for any costs.

Eligibility for Extracurricular Activities

Resident students enrolled full-time with a hosted MOCAP provider are considered students of the host district. The District will allow these students to participate in District extracurricular activities if the District allows other unenrolled students, such as homeschooled or private school students, to participate in the activity. Otherwise,

participation will be allowed only as required by law.

Notice

The District will inform students and parents/guardians of the availability of the MOCAP program in parent/guardian handbooks and registration documents and feature the program on the homepage of the District's website, as required by law. The District will provide every student enrolled in the District and parents/guardians with a copy of DESE's MOCAP guidance document at the beginning of the school year or upon enrollment. In addition, the District will provide a readily viewable link to the guidance document on the main page of its website.

Re-Enrollment in the District

If the District is notified that a resident, full-time MOCAP student has been disenrolled by a MOCAP provider, the District will provide a written list of available educational options in the District to the parents/guardians of the student within five business days and will promptly re-enroll the student when notified by the parent/guardian.

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Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

§ 161.670, RSMo.
§ 610.021, RSMo.
5 C.S.R. 20-100.230

Description

[State Statute](#)
[State Statute](#)
[State Regulation](#)

Federal References

20 U.S.C. § 1400-1417
29 U.S.C. § 794
34 C.F.R Part 104
34 C.F.R Part 300
42 U.S.C. §§ 12101-12213

Description

[Individuals with Disabilities Education Act](#)
[Section 504 of the Rehabilitation Act of 1973](#)
[Section 504 of the Rehabilitation Act of 1973](#)
[Individuals with Disabilities Education Act](#)
[Americans with Disabilities Act](#)

Cross References

AC
BDC
BDDH-2
JEA
JECC-1
JED
JED-AP(1)
JED-AP(2)
JFCF
JG-R1
JHD

Description

[PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION](#)
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[STUDENT ABSENCES AND EXCUSES](#)
[STUDENT ABSENCES AND EXCUSES - \(Grades K-8\)](#)
[STUDENT ABSENCES AND EXCUSES - \(Grades 9-12\)](#)
[BULLYING](#)
[STUDENT DISCIPLINE](#)
[STUDENT COUNSELING PROGRAM](#)

Policy ILA: TEST INTEGRITY AND SECURITY

Status: DRAFT

Original Adopted Date: 04/15/2002 | Last Revised Date: 07/28/2014

24C UPDATE EXPLANATION

MSBA has modified this policy to reflect the Guide to the Missouri Assessment Program 2023-2024. See <https://dese.mo.gov/quality-schools/assessment/guide-missouri-assessment-program>.

Because this guidance changes annually and districts administer many tests other than the MAP, the policy has been revised to simply state that staff will follow the requirements of the applicable testing manual.

Accurate information about student performance is integral to the district's mission of improving student achievement. In order to make sure the information is valid, the district must protect the integrity of the testing process. This policy shall become part of the district assessment plan. All staff associated with the assessment process are responsible for understanding and implementing the security measures in this policy. For the purposes of this policy, "staff associated with the assessment process" includes test coordinators, examiners, translators, proctors, and any district staff who have responsibilities in providing, monitoring, or overseeing student testing as designated by the superintendent or designee.

Districtwide Test Coordinator

The superintendent or designee will appoint a districtwide test coordinator who will perform the duties as described in the most recent version of the Guide to the Missouri Assessment Program published by the Department of Elementary and Secondary Education (DESE).

Training on Integrity and Security for Each Assessment

Each assessment has a testing manual that includes the security and integrity requirements for the assessment to produce valid results. The board requires that test-specific integrity and security measures be implemented as directed by the manual and that any breach, or suspected breach, of those integrity and security measures be reported promptly to the districtwide test coordinator.

Prior to test administration, the districtwide test coordinator must require, as part of general staff training for the assessment, that all staff associated with the assessment process familiarize themselves with the testing manual's section for the security and integrity requirements and practices for the relevant test(s) and participate in any other district-created training.

Test Security

Unless allowed by specific test protocol, tests shall not be read, scored, reviewed, photocopied, duplicated, scanned, transported or made accessible to staff not associated with the assessment process. Staff associated with the assessment process shall not discuss, either in writing or verbally, specific items on the assessment. Such discussion breaches both the security and integrity of the assessment and may result in an invalidation or loss of scores for accountability purposes.

Unless allowed by specific test protocol, staff associated with the assessment process are prohibited from reviewing the test materials or questions prior to, during or after testing. Before and after test administration, test materials must be kept in a locked room or cabinet in the school building, but outside the classroom, to prevent unauthorized access. All test materials must be returned to the district test coordinator after the assessment is administered.

Similar test security precautions apply to online testing.

Training

The district will train all district staff associated with the assessment process in accordance with test protocol. The training will include topics required or recommended by the specific test or by the company administering the testing as well as training on the requirements of this policy.

Test Coordinator Roles

The superintendent or designee will appoint a districtwide test coordinator who will:

1. View all assessment manuals and training provided by the Department of Elementary and Secondary Education (DESE) and stay informed of all relevant communication regarding the various assessment instruments.
2. Be responsible for training all school test coordinators, test examiners and other staff associated with the assessment process on testing procedures using appropriate training materials.
3. Keep a record of when staff associated with the assessment process are trained and provide that record to the appropriate parties, if required.
4. Restrict access to all secure testing materials prior to testing, including student test books, manipulatives and passwords or other access to electronic testing materials.
5. Ensure that beyond the initial checking and sorting, test materials remain untouched until they are distributed for test administration.
6. During the transcription process, ensure that all tests that need to be transcribed are kept secure from unauthorized access. All materials and any copies generated shall be returned to the testing coordinator after use.
7. Maintain the district's testing schedule and be prepared to provide such schedule upon request. Should the schedule change in any way, the test coordinator must update this information and document the reasons for the change.
8. Organize and deliver testing materials to each building and/or classroom and ensure that all responsible district staff have sufficient quantities of testing materials, or designate specifically trained persons to do so.
9. Ensure that only the test coordinators and staff associated with the assessment process have access to test materials.
10. After test administration, collect and account for all testing materials from each school in the district as well as any out-of-district schools where the students attend alternative programs.

General Test Administration

1. All standardized and statewide tests will be administered in compliance with testing guidelines provided by the company producing or administering the test and DESE when applicable.
2. The district shall inform parents/guardians of the district's testing schedule.
3. Students will be encouraged to use restroom facilities, get drinks and take care of other needs before beginning the test.
4. No individuals other than the test administrator or proctor and the students taking the test shall be allowed in the testing room during the testing session unless otherwise approved by the test coordinator.
5. Electronic communication, including mobile and imaging devices, must not be accessible during any portion of the testing session. These types of devices must be turned off and not readily visible at any time during the testing session.
6. After testing, all used draft, scratch, grid or unlabeled graph paper, student test directions and printed manuals shall be collected and securely destroyed.
7. Students will be permitted to use certain materials, such as calculators or thesauri, when directed by the specific test.

Paper-and-Pencil Testing

1. Test materials will be delivered to each building before the day of the test and distributed by staff associated with the assessment process immediately prior to testing. Students will not receive test materials until the time testing begins. No other persons will have access to the testing materials.

2. If students must leave the room during testing, they will be instructed to secure their test materials in accordance with the specific test protocol before leaving their seats.
3. If a test is to be administered over a series of days, the test administrator or proctor shall collect and count all test materials each day immediately following testing and store the test materials in a locked facility.
4. After the test has been fully administered, the test coordinator will immediately collect the test materials from the test administrators or proctors, organize them according to instructions and securely store them in accordance with this policy.
5. Test materials will be recounted by the test coordinator, and these counts will be documented and checked against pre-administration counts.
6. The test coordinator or designee will sort and package test materials according to directions from the assessment company and send them for scoring as expediently as possible.

Online Testing

1. Prior to testing, the district shall provide students with experience using relevant technology equipment, such as computers, laptops and tablet devices.
2. All computer workstations used during testing will be examined to ensure they are clean and free from any notes, papers, books and other information.
3. The district will perform site certification procedures prior to each testing window.
4. Workstations will have adequate space between them so that students are not able to view each other's screens.

Sanctions Against Improper or Unethical Practices

The security measures outlined in this document should help All district staff are required to take action to prevent improper or unethical practices regarding test administration and report any concerns to the districtwide test coordinator. Improper and unethical practices include, but are not limited to:

1. Violating any provision of this policy.
2. Copying any part of the standardized test materials or online test unless authorized by test protocol.
3. Removing any test materials from the secure storage area or device except during test administration or accessing test questions prior to when the test is given, unless authorized by the test coordinator and otherwise allowed by test protocol.
4. Accessing test questions prior to when the test is given unless authorized by the test coordinator and otherwise allowed by test protocol.
5. Copying, printing, downloading, or duplicating in any way any part of an online assessment for any reason unless authorized by the test coordinator and otherwise allowed by test protocol.
6. Failing to return all test materials following test administration.
7. Directly teaching any actual test item or taking actions to discover test items included on a test.
8. Altering in any way a student's responses on a test.
9. Indicating to students during testing that they have missed items and need to change them; giving students clues or answers to questions; and allowing students to give each other answers to questions or copy off each other's work, and
10. a) Altering test administration procedures in any other way to give students an unfair advantage or otherwise permitting students to breach security and integrity protocols applicable to the test-taker.

11. Administrators or other staff members pressuring or encouraging teachers to engage in any of the aforementioned improper or unethical practices that is contrary to test integrity and security.

All district staff employees are required to immediately report any suspected violation of this policy to the districtwide test coordinator any suspicion that this policy has been violated. An immediate investigation will occur if a district staff person is suspected of engaging in any improper or unethical practice. The districtwide test coordinator or designee will immediately investigate to determine whether a district employee engaged in any improper or unethical practices. If the allegations against the staff person/employee are proven, the districtwide test coordinator or designee will generate an investigation report will be forwarded and forward it to the superintendent, and who will take appropriate disciplinary action will be taken, up to and including termination.

The district will conduct an investigation of any student suspected of engaging in any improper or unethical practice. If allegations are proven, the student will be disciplined in accordance with district policy.

The districtwide test coordinator is responsible for reporting to and cooperating with DESE in the event of a suspected or known breach of the security and integrity requirements for an assessment.

If the districtwide test coordinator is alleged to be involved in behavior prohibited by this policy, the report shall be made to the superintendent or designee, who shall assume the responsibilities of the districtwide test coordinator for purposes of the report.

Administrators and test examiners are responsible for reporting any improper or unethical behaviors to DESE's Assessment Section or in accordance with specific testing protocol.

Policy JEA: COMPULSORY AND PART-TIME ATTENDANCE

Status: DRAFT

Original Adopted Date: 04/15/2002 | **Last Revised Date:** 04/28/2014

24D UPDATE EXPLANATION

This policy was updated for clarity and to conform with legal changes under Senate Bill 727 and House Bill 2287 (2024).

These bills, read together, created a formal (and quite detailed) definition of home schooling for some legal purposes, but not all. Likewise, these bills created the term "Family Paced Education" or FPE, which is a home school that receives public funds through the state's tax-credit voucher program, the Missouri Empowerment Scholarship Accounts Program. These vouchers can be used for tuition to attend private schools, but they can also be used by homeschooling families for curriculum, educational therapies, tutors, test fees, and other educational expenses.

The legislature adopted this term to separate home schools that accepted public funds (FPEs) from home schools that do not because some homeschooling families are concerned that accepting vouchers will lead to government interference in their education choices.

The difficulty with these definitions is that they do not apply to all state and federal statutes that reference homeschooling and have the potential to confuse district staff and the public who are not familiar with what an FPE is. For this reason, MSBA has decided to reference an FPE in this policy, as opposed to all of the policies that reference homeschooling in the district's manual.

The Carl Junction R-I School District exists to improve lives through education. The district seeks to enroll and educate all resident children in the community, as required by law.

The district provides educational programming for all students between the ages of 5 and 21 years of age. In addition, students as young as three may qualify for and receive special education services. The district may also provide preschool and adult education programs.

Compulsory Attendance

While the board seeks to provide educational services beyond the mere minimum requirements of the law, the law requires all children within the compulsory attendance age to regularly attend a public, private, parochial, parish, home school, family paced education school, or a combination of such schools for the duration of the entire school term. The compulsory attendance age is between 7 and 17 years of age or, if under 17, until the student successfully completes 16 credits toward high school graduation.

Once enrolled in the district, the district expects the student to attend regularly and for the student's parents/guardians or other adults having charge, control, or custody of the student to communicate regularly and honestly with the district regarding the student's absences. Because the district board and district staff strongly believe that regular attendance is important in gaining the most from the educational experience and because state law requires district staff to report all instances of abuse and neglect, including educational neglect, the district will make every effort to ensure students are attending school as required by law. These efforts include, but are not limited to: accurately recording attendance, creating procedures for regular communication with parents/guardians regarding attendance, investigating truancy, and reporting suspected incidences of educational neglect to the Children's Division (CD) of the Department of Social Services.

Part-Time Attendance

Although the district believes that all students will benefit from attending the Carl Junction R-I School District full-time, state law allows students to attend public school part-time, as long as their total educational experience meets the requirements of the state compulsory education law and the student is not already enrolled full-time in another public school. The superintendent or designee will create procedures on enrollment of part-time students to ensure that such enrollments do not jeopardize the discipline, health, and academic standards of the district. The board also directs the superintendent to annually analyze the number of students attending school part-time and to create vocational, dual-credit, advanced placement, or other programs and incentives to encourage these students to attend school full-time. Eligible students may also participate in the School Flex Program per district policy.

Students Withdrawing from or Dropping Out of School

Once enrolled, the student will be considered a district student until the district is directed to withdraw the student or until multiple unsuccessful attempts have been made to contact the parents/guardians or student to confirm continued enrollment after several absences. The district will encourage all families and students to consult with district staff prior to withdrawing a student.

Any student age 16 years or older who drops out of school for any reason other than to attend another school, college, or university, or to enlist in the armed services, shall be reported to the state literacy hotline office.

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Version JEA-C.1G (10/24)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

§ 160.539, RSMo.
§ 161.670, RSMo.
§ 163.011, RSMo.
§ 163.012, RSMo.
§ 167.042, RSMo.
§ 167.275, RSMo.
§ 211.034, RSMo.
§§ 167.031-.111, RSMo.

Description

[State Statute](#)
[State Statute](#)
[State Statute](#)
[State Statute](#)
[State Statute](#)
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Cross References

IGBD
IGBI
IGCD
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IGCE-1

Description

[AT-RISK STUDENTS](#)
[HOME SCHOOLING](#)
[VIRTUAL COURSES](#)
[FULL-TIME MOCAP VIRTUAL COURSES](#)
[NONTRADITIONAL INSTRUCTION OPTIONS](#)

Policy JFCL: A+ SCHOLARSHIP PROGRAM

Status: DRAFT

Original Adopted Date: 04/15/2002 | **Last Revised Date:** 02/24/2020

24C UPDATE EXPLANATION

In House Bill 604 (2019), the Missouri legislature approved the use of A+ funds to reimburse high school students for the costs of dual credit and dual enrollment courses, subject to appropriation. The Missouri Department of Higher Education and Workforce Development (MDHEWD) has now released regulations to implement the new law. See 6 C.S.R. 10-2.195.

Because there are different eligibility criteria for students seeking tuition reimbursement for dual credit and dual enrollment courses than for courses taken after graduation, the MDHEWD has decided to reserve the A+ moniker for the post-graduation scholarship program to reduce confusion and now refers to the other program as the Dual Credit/Dual Enrollment Scholarship Program.

To avoid confusion, MSBA has included dual credit/dual enrollment in policy IGCE and is removing the references to it in this A+ policy.

In addition, MSBA has modified the definition of "good citizenship" to allow students who have not been suspended for more than ten days between grades nine and twelve to qualify. Districts are free to modify this suggestion.

The district encourages its students to further their education and training after they graduate from the district. For that reason, the district will participate in the state A+ Scholarship Program to provide students an opportunity to pursue postsecondary education at a low cost or earn college credit while in high school. The district will follow the requirements as established by state law and regulation for the implementation and administration of its A+ Schools Scholarship Program.

The district shall employ an A+ Schools Program Scholarship coordinator, as required by law. The coordinator will be responsible for implementing this policy and the Dual Credit/Dual Enrollment Scholarship Program.

Program Goals

The district has established the following goals and performance standards is committed to ensuring that:

1. All students graduate from high school.
 - The district high school Carl Junction High School graduation rate will meet state requirements of equal to or greater than 85%.
2. All students complete a selection of high school studies that is challenging and for which there are identified learning expectations.
 - One hundred percent (100%) of all students will have a four-year plan of studies to meet high school graduation requirements.
 - One hundred percent (100%) of all courses will have written objectives that are aligned with GLEs (if applicable) or career education guidelines (if applicable).
3. All students proceed from high school graduation to a college, postsecondary career-technical school, or high-wage job with workplace skill development opportunities.
 - The APR Career Ed Placement and College Placement results will improve to or remain in the High 1 or High 2 categories.
 - One hundred percent (100%) of seniors will have a Senior Exit interview indicating post-secondary plans.
 - Two-year follow-up surveys will be administered to all graduates from two-years prior to determine actual post-secondary training/progress. The rate of return will increase.

Citizenship Component

An important component of the A+ Schools Scholarship Program is the fostering of good citizenship in our district's students. A student demonstrates good citizenship by showing respect for self, law, property, and the rights of others. Students have not demonstrated good citizenship if, while in grades nine through twelve, they have:

1. Pled guilty or *nolo contendere* (no contest) to, received a suspended imposition of sentence or suspended execution of sentence for, agreed to a deferred prosecution for, or been convicted or found guilty of a misdemeanor or felony.
2. Unlawfully used or possessed drugs, drug paraphernalia, or alcohol on or off school property.
3. ~~Had an out-of-school suspension~~ Been suspended for more than ten days.

Participation Agreement, Discipline, and Appeal

All students wishing to participate in the A+ Schools Scholarship Program for postsecondary education after high school must submit a completed A+ Participation Agreement. If the coordinator determines that a student who has submitted a participation agreement has violated the terms of that agreement or district policies or procedures regarding A+ participation, the coordinator will notify the student in writing and may put the student on probation or expel the student from the program. The student or the student's parents/guardians may appeal expulsions from this program, in accordance with written district procedures, to the board of education or to a committee of board members appointed by the president of the board and given the authority to act for the board. The board or the board's committee will hear the student's appeal in closed session and will notify the student of its decision.

Policy JG: STUDENT DISCIPLINE

Status: DRAFT

Original Adopted Date: 04/15/2002 | Last Revised Date: 09/28/2020

24C UPDATE EXPLANATION

This policy has been updated to reflect the expectation of the Missouri School Improvement Program (MSIP), Version 6, CC1, which requires the distribution of the student code of conduct to employees.

MSBA has also modified the language pertaining to the "nexus" to the school environment. While off-campus activities might be protected speech, other activities, such as true threats and bullying, would still be within the district's ability to discipline a student.

Mahanoy Area Sch. Dist. v. B.L., 141 S. Ct. 2038 (2021), is a U.S. Supreme Court case that addresses the limitations of school regulation of student off-campus speech under the First Amendment. The Court said:

Given the many different kinds of off-campus speech, the different potential school-related and circumstance-specific justifications, and the differing extent to which those justifications may call for First Amendment leeway, we can, as a general matter, say little more than this: Taken together, these three features of much off-campus speech mean that the leeway the First Amendment grants to schools in light of their special characteristics is diminished. We leave for future cases to decide where, when, and how these features mean the speaker's off-campus location will make the critical difference.

A "nexus" alone is insufficient to establish qualifying, actual, or impending impacts on the educational environment from student off-campus speech.

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 district will distribute the code of conduct will be distributed to all students, and their parents/guardians, and district staff at the beginning of each school year, which may be accomplished by directing students and parents/guardians them 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 and the conduct is not otherwise protected by law.
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.

Policy BBBB-1: SCHOOL BOARD BALLOT ISSUES

Status: DRAFT

Original Adopted Date: 09/22/2008 | Last Revised Date: 02/25/2019

24D UPDATE EXPLANATION (Version 1)

MSBA has updated this policy to be more comprehensive and to include references to new laws.

Section 162.563, RSMo., now allows school boards to create subdivisions for the purpose of electing board members. The district board of directors or district voters can initiate the process.

MSBA has also added a reference to a ballot issue to rescind a tax levy intended to pay for the transportation of students not otherwise entitled to transportation. That election is discussed in detail in § 167.232, RSMo.

MSBA has added a section on changing a district's name. Many districts might not be aware that there is a formal, legal process to do so. In general, boards that would like to make this change must notify the public as detailed in state statute. If at least 20 resident voters sign a petition challenging a name change, the issue will be put on the ballot. Otherwise, the board may vote to change the name, but the vote must be unanimous. For more information, see § 162.321, RSMo.

The school board of the district may place issues on the ballot as needed or as required by law.

Certification of Ballot Language

The board will approve ballot language before any ballot issue is submitted to the election authority for inclusion on the ballot. The superintendent is authorized to have ballot language drafted or reviewed by an attorney prior to board approval. In accordance with law, the superintendent or designee will notify the election authority of the ballot issue and provide the language for the ballot no later than 5:00 p.m. on the tenth Tuesday prior to the election. The superintendent or designee may send the required notices by facsimile transmission as long as the election authority receives the original copy of the notice within three business days of the facsimile.

If there will be no additional cost for printing or reprinting the ballots, or if the board agrees to pay any costs incurred, the board may seek a court order to add an issue to or remove an issue from the ballot, as long as the notification occurs no later than 5:00 p.m. on the eighth Tuesday before the election.

Accepting Election Results

The board will be presented with official election results at the next regular meeting scheduled after the district receives the results. The board will accept the results or, alternatively, decide whether to take action to challenge the results.

Types of Ballot Issues Submitted by the District

Bond Issues

When the board deems it necessary to raise capital funds, the board may vote to submit a bond issue to the voters. All bond issues must be in furtherance of the district's facility plan and should **only** be submitted **only** after careful study of the district's needs and after consultation with members of the public and the professionals necessary to accurately determine the cost and feasibility of the project. A bond issue passes with a four-sevenths vote at the general municipal election (April), primary election (August of even-numbered years), or a general election (November of even-numbered years). A two-thirds majority is required for all other elections. Following approval by the voters, the disposition of the bonded indebtedness will be in accordance with law.

Levy Issues

By law, the board may set a tax rate of \$2.75 on the hundred-dollar assessed valuation without an election. The board may vote to submit a levy issue to the voters when the board deems it necessary to levy taxes in excess of that amount. In addition, the board must submit a proposition to the voters as to whether the rate of taxation shall

be increased by the board if the board receives a written petition signed by voters requesting the proposition. The petition must include voter signatures numbering at least ten percent of the votes cast for the member of the school board receiving the greatest number of votes cast at the last school election in which board members were elected. Levy issues pass with a majority vote if the proposed levy is under \$6.00. A proposed levy in excess of \$6.00 requires a two-thirds vote to pass.

Waiver of Proposition C Rollback

By law, the board must reduce the total operating levy of the district to decrease the revenue the district would receive by an amount equal to 50 percent of the previous fiscal year's state sales tax receipts, with some exceptions. The board may submit an issue to the voters to forgo all or part of this reduction when the board deems it necessary to increase the revenue received by the district. This issue passes with a majority vote.

Transportation of Students Living Less than One Mile from School

If the district wishes to transport students living less than one mile from school and if an increase in the tax levy of the district is required to provide transportation, the board shall submit the issue at an election. This issue passes with a two-thirds majority. This levy may be rescinded after another ballot issue is submitted to the voters, in accordance with law.

Boundary Change

The board must submit a proposition to change the boundary of the school district if it receives a written petition signed by voters requesting the proposition. The petition must include voter signatures numbering at least ten percent of the votes cast for school board members in the last annual school election in the district. A petition meeting this criteria must and be submitted to the school boards of all districts affected by the proposed boundary change. Once the boards has have received a the petition meeting this criteria, the question will be submitted at the next election, except as allowed by law. If a board of arbitration appointed by the State Board of Education has previously rejected a boundary change, a petition to change the same or substantially same boundary cannot be filed with the district until the expiration of two years from the date of the election at which the previous boundary change was submitted to the voters of the district.

The boundary will be immediately changed if a majority of those voting in all districts affected vote for the boundary change. If the voters in one of the districts approve the change and voters in another do not, any of the districts affected or a majority of the signers of the petition may appeal in writing to the State Board of Education within 15 calendar days of the election. The State Board will appoint a board of arbitration to settle the matter.

The board of arbitration will base its decision on the following factors:

1. The presence of school-age children in the affected area.
2. The presence of actual educational harm to school-age children, either due to a significant difference in the time involved in transporting students or educational deficiencies in the district that would have its boundary adversely affected.
3. The presence of an educational necessity, not of a commercial benefit to landowners or to the district benefiting from the proposed boundary adjustment.

Changing the District Name

If the board seeks to officially change the name of the district, it will first give notice to the public, as required by law, of the date the board will vote to change the name. If a petition protesting the change and signed by 20 resident voters is filed on or before that date, the board will submit the question at the next April election. The issue will pass with a majority vote. If a petition is not submitted, the board may vote to change the name with a unanimous vote.

Creating Subdistricts

The board must submit a proposition to voters to determine whether the district should be divided into subdistricts for the election of school board members when the board receives a written petition signed by the appropriate number of voters, as required by law. The board may also initiate a ballot issue on this subject as allowed by law.

Consolidation

The board, by a majority vote, may call for an election on a proposal to consolidate with one or more adjacent districts. The issue will be put on the ballot if the school board(s) of the district(s) with which the board seeks to consolidate likewise vote(s) to put the issue on the ballot.

The board must submit a proposition to consolidate the district with one or more adjacent districts if it receives a written petition signed by voters requesting the proposition. The petition must include voter signatures numbering at least ten percent of the votes cast for school board members in the last election in which board members were elected, or 100 voters, whichever is the higher number. A petition meeting ~~this~~ **these** criteria must be submitted to the school boards of all districts involved in the consolidation. Once the board has received a petition meeting ~~this~~ **these** criteria, the question will be submitted at the next election.

A plat of the proposed new district will be published and posted with the notices of election. The results of the election will be certified to the state commissioner of education by the board secretary of each district or by the election authority charged with conducting the elections. If the measure passes with a majority vote in each affected district, the state commissioner will declare the new district formed as of July 1 following the submission of the question.

Annexation to One or More Adjacent Districts

The board must submit a proposition for the district to be attached to one or more adjacent districts if it receives a written petition signed by voters requesting the proposition. The petition must include voter signatures numbering at least ten percent of the votes cast for school board members in the last election in which board members were elected, or a majority of the voters of the district, whichever is the lesser.

Alternatively, the board may, by a majority vote, submit a plan to the voters of the Carl Junction R-I School District to attach the Carl Junction R-I School District to one or more adjacent districts and call for an election.

A plat of the proposed new district will be published and posted with the notices of election. If a majority of the votes cast in the election favor annexation, the board secretary will certify the fact, with a copy of the record, to the board and to the school boards of the districts to which annexation is proposed. If a majority of all the members of the school boards of each district the Carl Junction R-I School District seeks to be attached to vote in favor of annexation, the boundary lines of the affected districts shall be changed to include the Carl Junction R-I School District.

Expanding a Community College District to Include the School District Boundaries

If the board receives a petition to expand the boundaries of a community college district to include the boundaries of the school district, and the petition has ~~received a sufficient number of~~ **enough** signatures, the board will submit the question to voters as required by law. The petition must be signed by voters equal in number to ten percent of those voting in the last school election at which board members were elected or must be signed by a majority of the voters of the district, whichever is the lesser.

Dissolution

The board must submit a proposition to dissolve the district if it receives a written petition signed by voters requesting the proposition. The petition must include voter signatures numbering at least ten percent of the votes cast for school board members in the last election in which board members were elected, or 100 voters, whichever is greater. The question will be submitted at a municipal election. If a majority of voters voting favor dissolution, the district will be dissolved and may be annexed to one or more other districts by the State Board of Education, in accordance with law.

Elections Not Restricted by Date

School districts do not have to wait until an official election date and may call a special election for:

1. Bond elections necessitated by fire, vandalism, or natural disaster.
2. Special elections to decide tie votes or election contests.

3. Tax elections necessitated by a financial hardship due to a five percent or greater decline in per-pupil state revenue to a school district from the previous year.

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State References

	Description
§ 115.123, RSMo.	State Statute
§ 115.125, RSMo.	State Statute
§ 115.646, RSMo.	State Statute
§ 162.223, RSMo.	State Statute
§ 162.321, RSMo.	State Statute
§ 162.431, RSMo.	State Statute
§ 162.441, RSMo.	State Statute
§ 162.451, RSMo.	State Statute
§ 162.563, RSMo.	State Statute
§ 164.013, RSMo.	State Statute
§ 164.031, RSMo.	State Statute
§ 164.121, RSMo.	State Statute
§ 164.151, RSMo.	State Statute
§ 167.231, RSMo.	State Statute
§ 167.232, RSMo.	State Statute
Mo. Const. art.VI § 26(b)	State Constitution
Mo. Const. art.X §§ 11(c)	State Constitution

Cross References

	Description
DC-1	TAXING AND BORROWING AUTHORITY AND LIMITATIONS
DC-1-AP(1)	TAXING AND BORROWING AUTHORITY AND LIMITATIONS - (Bond Compliance—Includes a Continuing Disclosure Provision)
DCB	POLITICAL CAMPAIGNS
IC-1	ACADEMIC CALENDAR

Policy JED: STUDENT ABSENCES AND EXCUSES

Status: DRAFT

Original Adopted Date: 04/15/2002 | **Last Revised Date:** 03/29/2010

24D UPDATE EXPLANATION

MSBA has updated this policy to align with new legislation.

MSBA has amended the language describing the legal standard that requires the school district to report educational neglect from "reasonable suspicion" to "reasonable cause to suspect," which is more consistent with state statute.

Regular and punctual patterns of attendance will be expected of each student enrolled in the school district. Students should strive to maintain a good attendance record, because there is a direct relationship between school attendance and grades, citizenship, and success in school.

It is recognized that absence from school may be necessary under certain conditions. However, every effort should be made by students, parents/guardians, teachers, and administrators to keep absences and tardiness to a minimum.

Frequent absences of students from regular classroom learning experiences disrupt the continuity of the instructional process. The benefit of regular classroom instruction is lost, and cannot be entirely regained. The school cannot teach students who are not present. The entire process of education requires a regular continuity of instruction, classroom participation, learning experiences, and study in order to reach the goal of maximum educational benefits for each individual student. The regular contact of the students with one another in the classroom and their participation in well-planned instructional activities under the supervision of a competent teacher are vital to this purpose.

The superintendent, with the assistance of the administrative and professional staff, shall establish rules and procedures for student attendance within the district. Such rules and procedures shall be published in the various student and parent/guardian handbooks, and shall be subject to review by the board of education. Irregular student attendance shall be checked by the building principal or their his or her designee to determine the cause of absence. Causes for absences may be obtained by telephone calls, verified notes from parents or guardians, contacts with other members of the student's family, or home visits.

A comprehensive system of attendance records will be maintained for each student. Each teacher is responsible for the accurate reporting of daily attendance in the classroom. The building principal is responsible for supplying information to parents/guardians in regard to student absences, and for submitting attendance information to the superintendent's office.

The district will contact the Children's Division (CD) of the Department of Social Services or the local prosecutor in cases where the district has a reasonable cause to suspect suspicion that a student's lack of attendance constitutes educational neglect on the part of the parents/guardians or that parents/guardians are in violation of the compulsory attendance law. No such action will be taken unless other strategies and interventions have been implemented and proven ineffective.

If a student in foster care is absent from school due to a decision by a court or child-placing agency to change the student's placement or due to a verified court appearance or related court-ordered activity, the grades and credit of the student will be calculated as of the date the student left school, and no lowering of the student's grades shall occur as a result of the absence under these circumstances.

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Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

§ 160.2000, RSMo.

§ 167.018, RSMo.

Description

[State Statute](#)

[State Statute](#)

State References

§ 167.019, RSMo.
§ 167.031, RSMo.
§ 171.011, RSMo.
§ 171.053, RSMo.
§ 171.151, RSMo.
§ 210.115, RSMo.
§ 452.375, RSMo.
§ 595.209, RSMo.
§§ 167.031-.111, RSMo.

Description

[State Statute](#)
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MSIP References

CC-2
DB-1
TL-1
TL-10
TL-7

Description

[MSIP STANDARDS](#)
[MSIP STANDARDS](#)
[MSIP STANDARDS](#)
[MSIP STANDARDS](#)
[MSIP STANDARDS](#)

Cross References

IC-1
IGBD
IGBE-1
IGBE-1-AP(1)
IGCDA

Description

[ACADEMIC CALENDAR](#)
[AT-RISK STUDENTS](#)
[STUDENTS IN FOSTER CARE](#)
[STUDENTS IN FOSTER CARE - \(Dispute Resolution Process\)](#)
[FULL-TIME MOCAP VIRTUAL COURSES](#)

Policy JHDF: SUICIDE AWARENESS AND PREVENTION

Status: DRAFT

Original Adopted Date: 03/26/2018 | Last Revised Date: 12/19/2022

24D UPDATE EXPLANATION

Senate Bill 727 (2024) expanded the requirements for schools to print certain information on identification cards issued to students, including the nonemergency telephone number of the local police department. The law also states that districts "may" print on either side of the cards the Crisis Text Line number (741741) and the telephone number of a local suicide prevention hotline, if available. This created ambiguity about whether the word "either" means "both" or just provides the option to use one side of the card or the other. MSBA has not specified the option in the policy to print the numbers on both sides of the card, but districts should be aware of that option.

Purpose

Suicide is a leading cause of death among youths in Missouri and is a public health concern impacting all Missouri citizens. The district is committed to maintaining a safe environment to protect the health, safety, and welfare of students.

This policy outlines key protocols and procedures the district will use to raise awareness of suicide and the steps that can be taken to prevent it. The goal of the district is to help students, including students receiving their education virtually, who may be at risk of suicide without stigmatizing students or excluding them from school. The board will provide the resources necessary to meet this goal. No student will be excluded from school based solely on the district's belief that the student is at risk of suicide.

Definitions

Crisis Response Team (CRT) – A team of district employees trained in suicide awareness and prevention.

Student at Risk of Suicide – A student who is demonstrating individual, relationship, community, or societal factors that are associated with suicide and that in combination indicate that an individual might be contemplating suicide.

Suicide Crisis – A situation in which a person is attempting suicide or is seriously contemplating or planning suicide. Planning may include, but is not limited to, a timeframe and method for attempting suicide or obtaining or attempting to obtain the means to attempt suicide. A suicide crisis is considered a medical emergency requiring immediate intervention.

Crisis Response Team

The district will establish a district-level CRT and, if practical, a team in each building. CRT members will include administrators, counselors, and the school nurse and may also include school social workers, school resource officers, teachers, and community members as appropriate. The CRT will be responsible for implementation of the district's response plan.

The district will use an evidence-based/informed tool for determining whether a student is at risk of suicide or is having a suicide crisis. The CRT members and the building administrator will receive training and coaching in using this tool to assist in making determinations as to whether a student may be at risk of suicide and the appropriate response. Any such determination shall be made by multiple team members. If the district has a behavioral risk assessment team, a threat assessment team, or any similar team that monitors students considered "at risk," those teams must immediately contact the CRT if the team has identified a student who might be at risk for self-harm or suicide.

Response Plan

District employees will respond immediately in situations where they have a reasonable belief that a student may be at risk of suicide or may be having a suicide crisis.

Students Who May Be at Risk of Suicide

Any district employee who has a reasonable belief that a student may be at risk of suicide, even though the student is not having a suicide crisis as defined in this policy, will take the following steps:

1. Find another employee and make every effort to locate the student immediately. One of the employees must stay with the student.
2. While one employee stays with the student, the other will notify a CRT member or the building administrator or designee immediately. If the employee cannot reach the building administrator, designee, or any of the CRT members, the employee will contact the student's parent/guardian. If the parent/guardian is also unavailable, or at the parent's/guardian's request, the employee will contact emergency services.

When a CRT member or the building administrator or designee receives notification that a student may be at risk of suicide, the CRT member, administrator, or designee will take the following steps:

1. If the student cannot be located or leaves after being located, contact the parent/guardian to explain the district's concern.
2. If the student has been located, use an evidence-based/informed tool to determine whether the student is at risk of suicide and the appropriate response. Regardless of the determination, the building administrator or designee will contact the student's parent/guardian to discuss the concern.
3. If it is determined that the student may be at risk of suicide, appropriate members of the CRT should make contact with the student and the student's parents/guardians to discuss support and safety systems, available resources, coping skills, and collaborative ways to support the student.

Students Who May Be Having a Suicide Crisis

If an employee reasonably believes that a student is having a suicide crisis, the employee will take the following steps:

1. Find another employee and make every effort to locate the student immediately. One of the employees must stay with the student.
2. Immediately report the situation to a CRT member or the building administrator or designee. If the employee cannot reach the building administrator, designee, or any of the CRT members, the employee will notify the student's parent/guardian and contact emergency services. The employee may also contact the National Suicide Prevention Lifeline (800-273-8255) or 988 for assistance. As soon as practical, the employee will notify the building administrator or designee.

When a CRT member or the building administrator or designee receives notification that a student is believed to be having a suicide crisis, the CRT member, administrator, or designee will take the following steps:

1. If the student cannot be located or leaves after being located, a CRT member or the building administrator or designee will contact the parent/guardian to explain the district's concern.
2. If the student has been located, the CRT member and the building administrator or designee will, based on their training and an assessment of the student, determine the appropriate action, including whether to call emergency services, and implement the appropriate response.
3. At an appropriate time after the crisis has passed, appropriate CRT members should make contact with the student and the student's parents/guardians to discuss support and safety systems, available resources, coping skills, and collaborative ways to support the student.

Students Attending Virtually

In addition to monitoring the attendance and academic progress of students receiving education virtually (virtual learners), the district must also monitor virtual learners who may be at risk for suicide. Building administrators will develop procedures for monitoring the social/emotional health, including suicide risk, of virtual learners in conjunction with monitoring attendance and academic progress that will include:

1. Identifying staff members who will contact virtual learners on a regular basis;

2. Providing hard copies of student contact information to those assigned to contact virtual learners as a backup to Internet access of student records;
3. Creating a few questions designed to assess a virtual learner's social and emotional health that will be asked in conjunction with questions about academic progress;
4. Creating a written set of instructions for employees to follow if the employee suspects the virtual learner may be at risk of suicide or self-harm; and
5. Notifying the CRT.

To the extent possible, the superintendent or designee will work with the teachers hired by Missouri Course Access and Virtual School Program (MOCAP) providers to solicit information about the social and emotional health of the virtual learners in their courses.

Confidentiality

Employees are required to immediately share with the CRT and administrators or their designees any information that may be relevant in determining whether a student is at risk of suicide, is having a suicide crisis, or is otherwise at risk of harm. Employees are prohibited from promising students that information shared by the student will be kept secret when the information is relevant to the student's safety or the safety of another person.

Release of a student's individually identifiable education records will be made in accordance with the Family Educational Rights and Privacy Act (FERPA). In accordance with FERPA, information contained in a student's education records may be revealed at any time to the student's parents/guardians and school personnel who have a legitimate interest in the information. Education records may be shared with other appropriate persons when necessary to protect the health or safety of the student or others.

Abuse and Neglect

If any employee of the district has reasonable cause to believe a student has been or may be subjected to abuse or neglect or observes the student being subjected to conditions or circumstances that would reasonably result in abuse or neglect, the employee will immediately contact the Child Abuse and Neglect Hotline in accordance with law and board policy.

Accommodating a Disability

If at any time a parent/guardian informs the district that a student has a medical condition or impairment that could require accommodation, district employees will contact the district's compliance coordinator to determine whether the student has a disability.

School and Community Resources

The district will, in collaboration with local organizations and the Missouri Department of Mental Health, identify local, state, and national resources and organizations that can provide information or support to students and families. Copies of or links to resources will be available to all students and families on the district's website and in all district schools.

A CRT member will follow up with students who have been identified as being at risk of suicide or who have had a suicide crisis and their parents/guardians to offer additional assistance. The CRT will determine the number and frequency of follow-up visits. If a student transfers to virtual learning or is otherwise not present in school, the district will, to the extent possible, continue providing any supportive services the student was receiving from the district while in physical attendance.

The district will request permission from the parent/guardian to consult with the student's outside medical provider to assist in determining what interventions the district should use.

Beginning July 1, 2023, identification badges/cards issued to students in grades 7–12 shall include the three-digit dialing code that directs calls and routes text messages to the Suicide and Crisis Lifeline, 988, and the nonemergency

phone number of the local police department. Suicide and Crisis Lifeline three-digit phone number, 988, on both sides of the badge. Badges Cards purchased prior to this date may be used until the supply is depleted.

Response to Incidents Impacting the School

When the school community is impacted by the attempted suicide or death by suicide of a student, staff member, or other person in the school community, the superintendent or designee will confer with the district-level CRT and, when appropriate, confer with local community resources and professionals to identify and make available supports that may help the school community understand and process the behavior or death.

The CRT and the superintendent or designee will determine appropriate procedures for informing the school community of an attempted suicide or death by suicide and the supports that will be offered. Staff and students who need immediate attention following an attempted suicide or death by suicide will be provided support and resources available through the district and will be given information about other resources.

Return to School Following a Suicide Attempt

Students who have attempted suicide are at greater risk to attempt to harm themselves again and require support when returning to school. The building administrator will designate an appropriate employee to serve as a case manager for a student returning to school after a suicide attempt. The case manager will:

1. Meet with the student and family prior to the return date;
2. Study the student's records, including the events that precipitated the attempt if available;
3. Provide information about the student to teachers and other staff members to the extent necessary to support the student's return;
4. Meet with the student regularly; and
5. Assist the student and family in finding supportive services outside of the school.

Staff Education on Suicide Prevention and Response Protocol

All district employees will receive information regarding this policy and the district's protocol for suicide awareness, prevention, and response. This information will be provided to current employees and each new employee hired. The information will focus on the importance of suicide prevention, recognition of suicide risk factors, strategies to strengthen school connectedness, and response procedures and will include:

1. Strategies that can help identify students who are at possible risk of suicide;
2. Strategies and protocols for helping students at possible risk of suicide; and
3. Protocols for responding to a suicide death.

The district will also provide opportunities for district staff to participate in professional development regarding suicide awareness and prevention. Opportunities may include district-led training, access to web-based training, or training provided in other school districts or by local organizations or health professionals.

Suicide Prevention Education for Students

Starting no later than fifth grade, students will receive age-appropriate information and instruction on suicide awareness and prevention. Information and instruction may be offered in health education, by the counseling staff, or in other curricula as may be appropriate.

Policy Publication

The district will notify employees, students, and parents/guardians of this policy by posting this policy on the district's website and providing information about the policy to district employees. The district may also include information about the policy in appropriate district publications and student handbooks.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

§ 170.047-.048, RSMo.

Description

[State Statute](#)

MSIP References

CC-1

Description

[MSIP STANDARDS](#)

TL-10

[MSIP STANDARDS](#)

TL-7

[MSIP STANDARDS](#)

Cross References

EBCA

Description

[CRISIS INTERVENTION PLAN](#)