



**GREENBUSH**  
THE EDUCATION SERVICE CENTER

# Student Handbook

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Special Day Programs

2022-2023

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## Introduction

Whether you are returning to this building or entering for the first time, we want each of you to know how important you are to the staff. This can be a most productive time, academically and behaviorally. We want to help you achieve your highest potential. We encourage you to become involved in activities, as well as academics this year, and be a part of a new beginning and make your mark. The staff believes that everyday success will help prepare you for post-secondary education and life. Take this opportunity to further your education and explore new horizons. Make positive choices and give it your all!

### The Staff Believe . . .

- The purpose of school is to prepare you, as students, to be lifelong learners through a challenging and relevant curriculum.
- Providing a student-centered environment is a collaborative effort involving students, teachers, administrators, therapists, support staff, and the community.
- All students can learn and be successful socially, emotionally, physically, and academically.
- Students and teachers need to respect and promote healthy diversity so that all interactions are positive and respectful. Students and teachers must work together to promote a safe, positive, encouraging, and caring environment.

### The student will:

- Come to school every day;
- Account for his/her own work;
- Be neat, clean, appropriately dressed, and well-groomed;
- Conduct himself/herself in a safe and responsible manner;
- Seek help from school personnel when having school or personal problems;
- Follow the rules established by the school, the classroom teacher, and the Code of Conduct;
- Assume responsibility for his/her actions.

## Mission Statement

Ensuring equal educational opportunities for everyone.

## Confidentiality

This facility operates under the Family Education Rights and Privacy Act (FERPA). Written and oral information is released only under conditions specified in FERPA. Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

Parties not included in this list must present a formal release signed by the parent/guardian/educational advocate before any oral or written information can be shared. Student confidentiality must be maintained both inside and outside of the facility. Any conversation about a student should be directed only to others who have a need to know and take place in a private setting.

## Student Records

All student records shall be treated as confidential and primarily for Day Program and local school use unless otherwise stipulated. Access to student records, excluding student data submitted to or maintained in a statewide longitudinal data system in accordance with board policy IDEA, shall be permitted as set forth in board policies JR and JRB.

When records include information on more than one student, the parents/guardians

of any student shall have access to copies of that part of the record that pertains to their child. Each Day Program shall establish procedures for the granting of a request by parents/guardians for access to their child's school records within a reasonable period of time, but in no case more than 45 days after the request has been made.

In situations where the parents of a student are divorced or separated, each parent, custodial and/or non-custodial, shall have equal rights to their child's records unless a court order specifies otherwise. Private agreements between the student's parents shall not be recognized by the Day Program's personnel.

Parents/guardians shall have an opportunity for a hearing to challenge the content of their child's school records to ensure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of students; to have an opportunity for the correction or deletion of any inaccurate, misleading or otherwise inappropriate data contained therein; and to insert into records the parent's/guardian's written explanation of the content of the records.

Any eligible parent/guardian or student may inspect the personal records of the student during regular center office hours. The center reserves the right to interpret selected records to students and/or parents/guardians at the time of the inspection.

When a student attains 18 years of age, the permission or consent required of and the rights accorded to the parents of the student shall thereafter only be required of and accorded to the student.

## **Bullying and Harassment**

### **Bullying**

The board of education prohibits bullying in any form either by any student, staff member, or parent towards a student or by a student, staff member, or parent towards a staff member on or while using Day Program property, in a Day School vehicle, or at a Day Program-sponsored activity or event. For the purposes of this policy, the term "bullying" shall have the meaning ascribed to it in Kansas law.

The administration shall propose, and the board shall review and approve a plan to address bullying as prohibited herein. The plan shall include provisions for the training and education of staff members and students and shall include appropriate community involvement as approved by the board.

Students who have bullied others in violation of this policy may be subject to disciplinary action, up to and including suspension and/or expulsion. If appropriate, students who violate the bullying prohibition shall be reported to local law enforcement.

## Racial and Disability Harassment

The board is committed to providing a positive and productive learning and working environment, free from discrimination, including harassment, on the basis of race, color, national origin, or disability. Discrimination or harassment on the basis of race, color, or national origin ("racial harassment") or on the basis of disability ("disability harassment") shall not be tolerated at the center. Racial or disability harassment of employees or students served by the Day School by board members, administrators, certificated and support personnel, students, vendors, and any others having business or other contact with the Day Program is strictly prohibited.

Racial harassment is unlawful discrimination on the basis of race, color, or national origin under Titles VI and VII of the Civil Rights Act of 1964 and the Kansas Acts Against Discrimination. Disability harassment is unlawful discrimination on the basis of disability under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. All forms of racial or disability harassment are prohibited at the Day Program, on Day Program property, and at all Day Program-sponsored activities, programs, or events. Racial or disability harassment against individuals associated with the Day Program is prohibited, whether or not the harassment occurs on Day Program grounds.

It shall be a violation of this policy for any student, employee, or a third party (visitor, vendor, etc.) to harass any student, employee, or other individual associated with the Day Program. It shall further be a violation for any employee to discourage a student from filing a complaint or to fail to investigate or refer for investigation any complaint lodged under the provisions of this policy.

Prohibited conduct under this policy includes racially or disability-motivated conduct which:

- Affords a student different treatment, solely on the basis of race, color, national origin, or disability, in a manner which interferes with or limits the ability of the student to participate in or benefit from the services, activities, or programs of the Day Program.
- Is sufficiently severe, pervasive, or persistent so as to have the purpose or effect of creating a hostile academic environment; or



- Is sufficiently severe, pervasive, or persistent so as to have the purpose or effect of interfering with a student's academic performance or ability to participate in or benefit from the services, activities, or programs of the Day Program.

Racial or disability harassment may result from verbal or physical conduct or written graphic material.

The Day Program encourages all victims of racial or disability harassment and persons with knowledge of such harassment to report the harassment immediately. The Day Program will promptly investigate all complaints of racial or disability harassment and take prompt corrective action to end the harassment.

Any student who believes he or she has been subject to racial or disability harassment or has witnessed an act of alleged racial or disability harassment should discuss the alleged harassment with the site administrator, another administrator, the guidance counselor, or another certified staff member. Any Day Program employee who receives a complaint of racial or disability harassment from a student shall inform the student of the employee's obligation to report the complaint and any proposed resolution of the complaint to the site administrator. If the site administrator is the alleged harasser, the complaint shall be reported to the Day Program compliance coordinator. The site administrator shall discuss the complaint with the student to determine if it can be resolved. If the matter is not resolved to the satisfaction of the student in this meeting, the student may initiate a formal complaint under the Day Program's discrimination complaint procedure in policy KN.

Complaints received will be investigated to determine whether, under the totality of the circumstances, the alleged behavior constitutes racial or disability harassment under the definition outlined above. Unacceptable student conduct may or may not constitute racial or disability harassment, depending on the nature of the conduct and its severity, pervasiveness, and persistence. Behaviors that are unacceptable but do not constitute harassment may provide grounds for discipline under the code of student conduct. The discipline of a student for violation of any provision of the code of student conduct may be enhanced if the conduct is racially or disability motivated.

If discrimination or harassment has occurred, the Day Program will take prompt, remedial action to prevent its reoccurrence.

When a complaint contains evidence of criminal activity or child abuse, the compliance coordinator shall report such conduct to the appropriate law enforcement or DCF authorities.

To the extent possible, confidentiality will be maintained throughout the investigation of a complaint. The desire for confidentiality must be balanced with the Day Program's obligation to conduct a thorough investigation, to take appropriate corrective action, or to provide due

process to the accused.

The filing of a complaint or otherwise reporting racial or disability harassment shall not reflect upon the student's status or grades. Any act of retaliation or discrimination against any person who has filed a complaint or testified, assisted, or participated in any investigation, proceeding, or hearing involving a racial or disability harassment complaint is prohibited. Any person who retaliates is subject to immediate disciplinary action, up to and including expulsion for a student or termination of employment for an employee.

False or malicious complaints of racial or disability harassment may result in corrective or disciplinary action against the complainant.

## Sexual Harassment

The board is committed to providing a positive and productive learning and working environment, free from discrimination on the basis of sex, including sexual harassment. Sexual harassment shall not be tolerated at the center. Sexual harassment of employees or students served by the center by board members, administrators, certificated and support personnel, students, vendors, and any others having business or other contact with the center is strictly prohibited.

Sexual harassment is unlawful discrimination on the basis of sex under Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, and the Kansas Acts Against Discrimination. All forms of sexual harassment are prohibited at the Day Program, on Day Program property, and at all Day Program-sponsored activities, programs or events. Sexual harassment against individuals associated with the Day Program is prohibited, whether or not the harassment occurs on Day Program grounds.

It shall be a violation of this policy for any student, employee, or a third party (visitor, vendor, etc.) to sexually harass any student, employee, or other individual associated with the Day Program. It shall further be a violation for any employee to discourage a student from filing a complaint or to fail to investigate or refer for investigation any complaint lodged under the provisions of this policy.

Sexual harassment is unwelcome sexual advances, requests for sexual favors, and other inappropriate oral, written, or physical conduct of a sexual nature when made by a member of the Day Program staff to a student or when made by any student to another student when: (1) submission to such conduct is made, explicitly or implicitly, a term or condition of the individual's education; (2) submission to or rejection of such conduct by an individual is used as the basis for academic decisions affecting

that individual; or (3) such conduct has the purpose or effect of interfering with an individual's academic or professional performance or creating an intimidating, hostile or offensive academic environment.

Sexual harassment may result from verbal or physical conduct or written or graphic material. Sexual harassment may include, but is not limited to: verbal harassment or abuse; pressure for sexual activity; repeated remarks to a person, with sexual or demeaning implication; unwelcome touching; or suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning a student's grades, participation in extracurricular activities, etc.

The Day Program encourages all victims of sexual harassment and persons with knowledge of such harassment to report the harassment immediately. The Day Program will promptly investigate all complaints of sexual harassment and take prompt corrective action to end the harassment.

Any student who believes that he or she has been subjected to sexual harassment should discuss the alleged harassment with the site administrator, another administrator, the guidance counselor, or another certified staff member. Any Day Program employee who receives a complaint of sexual harassment from a student shall inform the student of the employee's obligation to report the complaint and any proposed resolution of the complaint to the site administrator. If the site administrator is the alleged harasser, the complaint shall be reported to the Day Program compliance coordinator. The site administrator or center compliance coordinator shall discuss the complaint with the student to determine if it can be resolved. If the matter is not resolved to the satisfaction of the student in this meeting, the student may initiate a formal complaint under the Day Program's discrimination complaint procedure in policy KN.

Complaints received will be investigated to determine whether, under the totality of the circumstances, the alleged behavior constitutes sexual harassment under the definition outlined above. Unacceptable student conduct may or may not constitute sexual harassment, depending on the nature of the conduct and its severity, pervasiveness, and persistence. Behaviors that are unacceptable but do not constitute harassment may provide grounds for discipline under the code of student conduct.

If discrimination or harassment has occurred, the Day Program will take prompt, remedial action to prevent its reoccurrence.

When a complaint contains evidence of criminal activity or child abuse, the site administrator or Day Program compliance coordinator shall report such conduct to the

appropriate law enforcement or DCF authorities.

To the extent possible, confidentiality will be maintained throughout the investigation of a complaint. The desire for confidentiality must be balanced with the Day Program's obligation to conduct a thorough investigation, to take appropriate corrective action or to provide due process to the accused.

The filing of a complaint or otherwise reporting sexual harassment shall not reflect upon the individual's status or grades. Any act of retaliation or discrimination against any person who has filed a complaint or testified, assisted, or participated in any investigation, proceeding, or hearing involving a sexual harassment complaint is prohibited. Any person who retaliates is subject to immediate disciplinary action, up to and including expulsion for a student.

False or malicious complaints of sexual harassment may result in corrective or disciplinary action against the complainant.

## Complaint of Discrimination

The Day Program is committed to maintaining a working and learning environment free from discrimination, insult, intimidation, or harassment due to race, color, religion, sex, age, national origin, or disability.

Any incident of discrimination, including acts of harassment, shall promptly be reported for investigation and corrective action by the site administrator or Day Program compliance coordinator. Any student or employee who engages in discriminatory conduct shall be subject to disciplinary action, up to and including expulsion from school.

Discrimination against any student on the basis of race, color, national origin, sex, disability, or religion in the admission or access to, or treatment in the district's programs and activities is prohibited. Bart Swartz, Associate Executive Director, 1104 E. 1000 Road, Lawrence, KS 66047, 785.690.7081, has been designated to coordinate compliance with nondiscrimination requirements contained in Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and The Americans with Disabilities Act of 1990.

Any student who believes that he or she has been discriminated against may file a complaint with the site administrator, another administrator, the guidance counselor, or another certified staff member. Any Day Program employee who receives a complaint of discrimination or harassment from a student shall inform the student of

the employee's obligation to report the complaint and any proposed resolution of the complaint to the site administrator. If the site administrator is the alleged harasser, the report shall be made to the Day Program compliance coordinator. Any student complaint of discrimination shall be resolved under the Day Program's discrimination complaint procedures in policy KN.

The Day Program prohibits retaliation or discrimination against any person for opposing discrimination, including harassment; for participating in the complaint process; or making a complaint, testifying, assisting, or participating in any investigation, proceeding, or hearing.

## Health and Safety Procedures

### Automated External Defibrillators

If the board approves their use in district schools and other facilities, automated external defibrillators law shall be used only by qualified persons as required by law. To be qualified, a district employee shall have completed all training and have demonstrated proficiency in the use of the AED as required by current law.

### Supervision of Medications

The supervision of medications shall be in strict compliance with the rules and regulations of the board as carried out by Day Program personnel. Diagnosis and treatment of illness and the prescribing of drugs and medicines are not the responsibility of the Day Program and are not to be practiced by any Day Program personnel, including Day Program nurses, unless authorized.

In certain circumstances when medication is necessary in order that the student remains in school or receives Day Program programming, the Day Program may cooperate with parents in the supervision of medication that the student will use. However, the medical person authorized to prescribe medication or the parent, if it is a nonprescription medication, must send a written order to the site administrator who may supervise the administration of the medication or treatment. The parents must submit a written request to the site administrator requesting the Day Program's cooperation in such supervision and releasing the Day Program and Day Program personnel from liability.

Day Program personnel shall not be required to be custodians of any medication

except as required by a written order of a licensed medical person or in the case of nonprescription medication when requested in writing by the parents.

The medication shall be examined by the Day Program employee administering the medication to determine that it appears to be in the original container, to be properly labeled, and to be properly authorized by the written order of a licensed medical person. Two containers, one for home and one for school should be requested from the pharmacist.

Any changes in the type of drugs, dosage, and/or time of administration should be accompanied by a new physician and parent permission signatures and a newly labeled pharmacy container.

All medication maintained in the Day Program setting should be kept in a locked container. This includes medication requiring refrigeration.

Medications should be inventoried every semester. The out-of-date stock should be returned to the parent or destroyed. Over-the-counter medications should not be maintained on any Day Program premises, including athletic areas, unless written parent permission to administer is obtained.

After the medication is administered, students should be observed for possible reactions to the medication. This observation may occur at the site of administration or in the classroom as a part of the normal routine.

This policy shall be shared with all local physicians and dentists where practicable. Forms should also be made available to the health care providers in the community.

An individual record should be kept of each medication administered. The record should include student identification, date prescribed, name of the medication, time and date(s) administered, the signature of person administering, and a section for comments.

In the administration of medication, the Day Program employee shall not be deemed to have assumed any legal responsibility other than acting as a duly authorized employee of the Day Program.

## Communicable Diseases

Any student noted by a physician or the Day Program nurse as having a communicable disease may be required to withdraw from the Day Program for the duration of the illness. The student will be readmitted to regular classes upon the termination of the illness, as authorized by the student's physician, or as authorized by a health assessment team.

The board reserves the right to require a written statement from the student's physician indicating that the student is free from all symptoms of the disease.

If a student is absent from regular classes for more than three consecutive days or the site administrator has been notified that a student has a communicable disease, the site administrator shall determine whether a release shall be obtained from the student's physician before the student reenters school.

Decisions regarding the type of education and the setting for provision of educational services for a student with a severe communicable disease of long duration shall be based on the child's medical condition, the child's behavior and neurological development, and the expected type of interaction with others in the educational setting. These decisions will be made after receiving input from the student's physician, public health personnel, the student's parent or guardian, and personnel associated with the proposed care or educational setting.

## Diabetes Treatment Plan

As used in this policy, diabetes management and treatment plan means a plan prepared and implemented for a student with diabetes which is prescribed by a physician licensed to practice medicine and surgery; a certified, advanced registered nurse practitioner who has authority to prescribe drugs; or a licensed physician assistant who has authority to prescribe drugs pursuant to a written protocol with a responsible physician.

### **Student Eligibility**

Self-care of diabetes may be allowed for students in grades K-12. To be eligible, a student shall meet all requirements of this policy.

Parents or guardians shall submit a written diabetes management and treatment plan from the student's health care provider.

The student shall provide written authorization from the student's health care provider and parent or guardian stating the student has been instructed on managing and caring for their diabetes and is authorized to do so in school. An annual written renewal of parental authorization for the self-care of diabetes shall be required.

While at Day Program, each student capable of managing and caring for the student's diabetes will be allowed to:

- Perform blood glucose level check,
- Administer insulin through the delivery system the student uses,
- Treat hypoglycemia and hyperglycemia,
- Possess the supplies or equipment necessary to monitor and care for their diabetes, and
- Otherwise attend to the management and care of the student's diabetes in the classroom, in any area of the school, on school grounds, or at any school-related activity.

Notwithstanding the above, the Day Program reserves the right to put reasonable place and manner procedural safeguards in place for the safe and non-disruptive exercise of such rights by students with diabetes.

### **Employee Immunity**

The board and its employees and agents, who authorize the self-administration of medication and treatment for diabetes in compliance with the provision of this policy, shall not be liable in any action for any injury resulting from the self-administration of medication. The Day Program shall provide written notification to the parent or guardian of a student for whom this policy is applicable that the board and its employees and agents are not liable for any injury resulting from the self-administration of medication. The parent or guardian shall sign such notice and acknowledge that the Day Program incurs no liability for any injury resulting from the self administration of medication and agrees to indemnify and hold the board and its employees and agents harmless against any claims relating to the self-administration of medication pursuant to this policy.

### **School Breakfast/Lunch**

Free or reduced-price meals shall be provided for students who qualify under state and federal rules and regulations. The eligibility forms, rules, and regulations governing this program shall be provided by the administration to the students and



their parents when enrolling. To be eligible for reduced/free breakfast or lunch, the parents/guardian must complete the Application for Nutrition Benefits.

## Student Accidents

When a staff member sees a student who has been involved in an accident on Day Program owned or operated property or at a Day Program-sponsored event, the staff member shall follow the rules for the care of an injured student and report the accident to the site administrator. If a student has an accident that appears to require medical treatment, no action shall be taken by an employee except to send for medical help and to make the student as comfortable as possible while waiting for medical assistance to arrive. If an employee is qualified to administer first aid, that aid may be given. Qualified employees, for the purpose of this policy, are those employees who have successfully completed an approved first aid program or the Day Program's nurse.

When appropriate, the student's parent(s) shall be notified of the injury as soon as possible to determine appropriate action. If the student needs medical attention and the parents cannot be reached, the site administrator shall seek emergency medical treatment.

### **Records**

Appropriate records documenting student accidents shall be kept on file in the site administrator's office.

## Computer and Internet Policies

### Computer Ethics and Policies

The Special Day Programs ensure compliance with Public Law 106554 and The Children's Internet Protection Act (CIPA).

Internet access is available to students and teachers at Special Day Programs. We believe the Internet offers vast, diverse, and unique resources to both students and teachers. Our goal in providing this service is to promote educational excellence in schools by facilitating resource sharing, innovation, and communication. To gain access to the Internet, all students must sign and return the Computer/Internet Policy included in this packet. The permission form and signature will remain on file in the student's file.

Students are responsible for good behavior on school computer networks just as they are in a classroom or school hallway. General school rules for behavior and communications apply. The network is provided for students to conduct research. Access to network service is given to students who agree to act in a considerate and responsible manner. Access entails responsibility. The use of the network is a privilege, not a right, and may be revoked if abused. The user is personally responsible for his/her actions in accessing and utilizing the school's computer resources.

Users will comply with the Day Program standards and will honor the agreements they have signed. During school, teachers will guide students toward appropriate materials.

Individual users of the Internet are expected to abide by the generally accepted rules of network etiquette.

- Obey the rules of copyright. Students will not plagiarize works they find on the Internet. Plagiarism is taking the ideas or writings of others and presenting them as if they were one's own.
- Do not share your password with another person.
- No damaging computers, computer systems, software, or computer networks.
- Use appropriate language. Profanity or obscenity will not be tolerated on the school network. You must use language appropriate for school situations as indicated by school policy. Students will not use obscene, profane, lewd, vulgar, rude, or threatening language. Nor will they, through means of the Internet, harass or annoy any other users.
- Students shall not use the Internet to send or receive personal electronic mail.
- Students shall not enter or participate in Chat Rooms, NewsGroups, or ListServes for any reason.
- Students shall not disclose, use, or disseminate any personal identification of themselves or others.
- Students shall not tamper with other work folders on the assigned computer.
- Students shall work on the computer assigned during the class period.

In the event a student engages in any of the above-referenced activities, his/her access privileges will be revoked, and other disciplinary measures may result.

## Computer and Device Use

### Use of Center Computers and Devices/Privacy Rights

Center-issued computer systems and electronic devices (including, but not limited to, Smartboards, iPads, iTouches, iPhones, eReaders, and eBooks) are for educational and professional use only. The Day Program retains the right to discipline any student, up to and including expulsion.

### **Installation**

No software, including freeware and shareware or other applications, may be installed on any Day Program computer or electronic device until cleared by the network administrator. The administrator will verify the compatibility of the software or application with existing software, hardware, and applications and prescribe installation and de-installation procedures. Program files must have the director's approval to be installed on any Day Program server or computer.

### **Audits**

The Day Program administration may conduct periodic audits of software and applications installed on center equipment to verify legitimate use.

### **Email Privacy Rights**

Students shall have no expectation of privacy when using Day Program email or other official communication systems. Any email or computer application or information in Day Program computers, computer systems, or electronic devices is subject to monitoring by the administration.

### **Lost, Stolen, or Damaged Computers and/or Equipment**

Students shall be responsible for reimbursing the Day Program for replacement of or repair to Day Program issued computers or electronic devices which are lost, stolen, or damaged while in the students' possession.

## Curriculum

The Special Day Programs use a standards-based, state-approved virtual curriculum as the primary curriculum. Teachers also have access to a number of research-proven supplemental curricula as part of their curriculum base. Teachers will prepare lessons individually tailored to meet individual needs. The primary goal at the Special Day Program is to equip students with the skills necessary to be successful. Skill training will include note-taking, positive peer interaction, how to meet deadlines, how to reduce educational stress, and how to become a self-advocating student.

## Academic Guidelines

### Grading Practices

Grading reflects the quality of student learning and progress. Grades are officially recorded at the student's home school. If a student has excessive absences, either excused or unexcused, he/she may not receive academic credit for that class and may receive a "did not complete."

### Assignment of Letter Grades

A = 90% or above

B = 80-89%

C = 70-79%

D = 60-69%

F = below 60%

P = Pass (not included in GPA)

### Report Cards

Report cards are distributed on a quarterly basis to the student, parents/guardians, and the student's home school.

### Determination of Final Semester Grades

The semester grade is entered on a student's transcript/permanent record and is used to determine course credit for graduation requirements. The semester grade communicates the student's mastery of objectives taught throughout both quarters of the semester. The semester grade represents a balance of the grades earned for each of the two quarters.

Teachers will explain to students how they determine grades and conference with individual students when grades are completed.

## Graduation

Formal public graduation activities will be conducted only at the option of the Day Program sites. Graduation exercises will be under the control and direction of Day Program sites. (JFC)

## Graduation - Special Education

Students participating in special education programs, who complete a state-approved program, shall be awarded a high school diploma.

## Miscellaneous Policies and Procedures

### Absences and Excuses

When a student is absent from school, an attempt shall be made to contact the parent or guardian to determine the reason for the absence. The site administrator has been designated to determine the acceptability and validity of excuses presented by the parent(s) or the student. When it is determined that truancy needs to be reported, the site administrator will follow the truancy policies of the student's sending (home) district.

### Truancy

The site administrator shall report students who are inexcusably absent from the Day Program to the appropriate authority.

Truancy is defined as any three consecutive unexcused absences, any five unexcused absences in a semester, or seven unexcused absences in a Day Program year, whichever comes first. The Day Program year means the period from July 1 to June 30. Students who are absent without a valid excuse for a significant part of any Day Program day shall be considered truant.

Prior to reporting to either the Kansas Department for Children and Families (DCF) (if the student is under 13) or the county or district attorney (if the student is 13 or more years of age but less than 18 years of age), a letter shall be sent to the student's parent(s) or guardian notifying them that the student's failure to attend the Day Program without a valid excuse shall result in the student being reported truant.

### **Waiver of Compulsory Attendance Requirements**

Students, 16 or 17 years of age may be exempt from compulsory attendance regulations if the parent(s) or person acting as parent attend(s) the counseling session required by law and signs the appropriate consent and waiver form; if the student earns a GED; or if the student is exempt from compulsory attendance requirements pursuant to a court order.

### **Involvement of Law Enforcement**

Law enforcement officers may return truant children to the Day Program where the child is enrolled, to the child's parent or guardian, or to another location designated by the board to address truancy issues.

### **Reporting to Parents**

If a truant child is returned to the Day Program by a law enforcement official, the site administrator shall notify the parent or guardian.

### **Dual Enrollment Students**

Eligible students who are enrolled in a board-approved dual enrollment program shall not be considered truant for the hours during the Day Program day they attend classes at a Regent's university, community college, technical college, vocational educational school.

## **Drug-Free Schools**

Maintaining drug-free schools is important in establishing an appropriate learning environment for the Day Programs' students. Unless otherwise specified in this policy, the possession, use, sale, distribution, and/or being under the influence of illicit drugs, controlled substances, and/or alcohol by students at a Day Program site, on or in Day Program property, or at Day Program sponsored activities or events is prohibited.

### **Student Conduct**

As a condition of continued enrollment in the Day Program and/or participation in its programs, students shall abide by the terms of this policy.

Students shall not manufacture, sell, distribute, dispense, possess, use, and/or be under the influence of illicit drugs, controlled substances, or alcoholic beverages at the Day Program, on or in Day Program owned or operated property, or at any Day Program activity, program, or event. Any student violating the terms of this policy will be reported to the appropriate law enforcement officials and will be subject to:

- Suspension, or
- Expulsion.

Students who are suspended or expelled under the terms of this policy will be afforded the due process rights contained in board policies and Kansas statutes, K.S.A. 728901, et seq. Nothing in this policy is intended to diminish the ability of the center to take other disciplinary action against the student in accordance with other policies governing student discipline. If a student agrees to enter and complete a drug education or rehabilitation program, the cost of such a program will be borne by the student and his or her parents.

A list of area drug and alcohol counseling and rehabilitation programs, along with names and addresses of contact persons for the programs, is on file with the board clerk. Parents or students should contact the directors of the programs to determine the cost and length of the program.

A copy of this policy will be provided to all students and the parents of all students. Parents of all students will be notified that compliance with this policy is mandatory.

## **Due Process**

Students shall be afforded due process as required by current law.

## **Equal Educational Opportunities**

The board shall endeavor to offer an educational program that attempts to meet the needs of all children served by the Day Programs. All administrators and teachers, in developing Day Program curriculum and activity program recommendations for the consideration of the board, shall give a high priority to the meeting of individual students' needs.

## **Reporting to Law Enforcement**

Whenever a student engages in conduct which constitutes the commission of any misdemeanor or felony, at the Day Program, on Day Program owned or operated property, or at a Day Program supervised activity and/or has been found:

- in possession of a weapon,
- in possession of controlled substance or illegal drug; or

- to have engaged in behavior at school which has resulted in, or was substantially likely to have resulted in, serious bodily injury to others, the site administrator director shall report such act to the appropriate law enforcement agency if any of the behaviors noted above occur.

## Searches of Students

Site administrators are authorized to search students if there is reasonable suspicion that Day Program policies, rules, or directives are being violated. Strip searches shall not be conducted by Day Program authorities. All searches by the site administrator shall be carried out in the presence of another adult witness.

The student shall be told why a search is being conducted. The student shall be requested to empty items such as, but not limited to, pockets, purses, shoulder bags, book bags, and briefcases. The site administrator shall attempt to call the student's parent/s and may call law enforcement. Items that the site administrator believes may be connected with illegal activity shall remain in the custody of the site administrator unless the items are turned over to law enforcement officials. If the student refuses to cooperate, the site administrator may take disciplinary action and/or seek assistance from law enforcement.

If law enforcement assistance is present, a further search of the student shall be with the cooperation and assistance of law enforcement officials. The site administrator shall remain with the student and be present during any search of the student made by law enforcement officials on school property. The site administrator shall receive and file a receipt for items turned over to law enforcement officials.

If the site administrator believes a student is in possession of an object which can jeopardize the health, welfare, or safety of the student or others, the student shall be removed to a safe location. This determination may be based on any information received by the site administrator or any member of the faculty or staff.

A written report of each search shall be made by the site administrator and submitted to the director. The director shall keep a copy of the written report on file.

Whenever the site administrator is mentioned in this policy, it shall be construed so as to include the director or designated representative.



## **Student Fees, Fines, and Charges**

### **Fees and Charges**

The director shall be authorized to collect fees from Day Program students as authorized by the board.

### **Fines**

Day Program property lost, damaged, or destroyed by a student shall be paid for by the student in accordance with rules and regulations prescribed by the local board.

## **Student Transportation**

Member districts are responsible for transporting their special education students. Transportation will be provided by the Day Program for all approved extra-class center activities.

Supervisors and drivers in Day Program-owned vehicles shall supervise Day Program students being transported.

The director shall be responsible for coordinating all of the Day Program's transportation.

## **Use of Surveillance Cameras**

The Day Program may use surveillance cameras to monitor student activity.

Surveillance cameras may be used to monitor students riding in Day Program vehicles and to monitor student behavior in or around any Day Program owned or operated facility.

Surveillance footage, which is a record of student behavior, shall be secured in a secure location until the digital storage mechanism or tape on which the footage is maintained is either reused or erased. Surveillance footage of personally identifiable students depicting their involvement in an altercation or other violation of law or district policy shall be considered a student record and shall be subject to current law for the release of student record information.

## Student Guidelines and Responsibilities

### Tobacco and Electronic Cigarettes

Smoking by students and/or the possession or use of any other tobacco product or electronic cigarette is prohibited in any Day Program facility; in Day Program vehicles; at Day Program sponsored activities, programs, or events, and on Day Program owned or operated property.

Administrators may report students who are in violation of this policy to the appropriate law enforcement agency.

### Gang Activity

Gang activities that threaten the safety or well-being of persons or property on Day Program owned or operated property or at Day Program activities, or which disrupt the Day Program environment, are prohibited.

Gangs that initiate, advocate, or promote activities that threaten the safety or well-being of persons or property on school grounds or disrupt the school environment are harmful to the educational process. A Gang is an activity or affiliation of an ongoing loosely organized association of two or more persons, whether formal or informal, that has a common name, signs, symbols, or colors, and whose members engage, either individually or collectively, in gang activity. The use of hand signals, graffiti, pictures, drawings, etc., or the presence of any apparel, jewelry, accessory, or manner of dress or grooming that, by virtue of its color, arrangement, trademark, symbol, or any other attribute that indicates or implies membership or affiliation with such a group is prohibited because of the disruption to educational activities that results from such activities or dress. It is the Day Program's position that such activities and dress also present a clear and present danger to other students and to staff members. Any activity involving initiation, hazing, intimidation, assault, or other activity related to group affiliation that is likely to cause or does cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to students or others is prohibited. Any student wearing, carrying, or displaying gang paraphernalia and/or exhibiting behavior or gestures that symbolize gang membership, or causing and/or participating in activities that intimidate or adversely affect the educational activities of another student, or the orderly operation of the schools, shall be subject to disciplinary action.

## Weapons

A student shall not knowingly possess, handle, or transmit any object that can reasonably be considered a weapon at the Day Program, on Day Program owned or operated property, or at a Day Program-sponsored event. This shall include any weapon, any item being used as a weapon or destructive device, or any facsimile of a weapon.

### Weapons and Destructive Devices

As used in this policy, the term "weapon" and/or destructive device shall include, but shall not be limited to:

- any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive;
- the frame or receiver of any weapon described in the preceding example; • any firearm muffler or firearm silencer;
- any explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than 1/4 ounce, mine, or similar device;
- any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant and which has any barrel with a bore of more than 1/2 inch in diameter;
- any combination of parts either designed or intended for use in converting any device into a destructive device described in the two immediately preceding examples and from which a destructive device may be readily assembled;
- any bludgeon, sand club, metal knuckles, or throwing star;
- any knife, commonly referred to as a switchblade, which has a blade that opens automatically by hand pressure applied to a button, spring, or other device in the handle of the knife or any knife having a blade that opens, falls or is ejected into position by the force of gravity or by an outward, downward, or centrifugal thrust or movement;
- any electronic device designed to discharge immobilizing levels of electricity, commonly known as a stun gun.

### Penalties for Weapon Violations

Possession of a firearm or other weapon listed under the "Weapons and Destructive Devices" heading above shall result in expulsion from the Day Program for a period of one calendar year, except the director may recommend this expulsion requirement be modified on a case-by-case basis.

Possession of, handling of, and/or transmitting a weapon of a type other than described under the “Weapons and Destructive Devices” heading above, any item being used as a weapon or destructive device, or a facsimile of a weapon may result in disciplinary action up to and including suspension and/or expulsion. Expulsion hearings for weapons violations shall be conducted by the director or the director’s designee.

Students violating this policy shall be reported to the appropriate law enforcement agency(ies) and, if a juvenile, to the Secretary for DCF or the Secretary of KDOC as appropriate.

## Employment of Students

Student employment must strike a balance between “education for living” on the one hand and “education for making a living” on the other. The Day Program’s first objective is that students satisfactorily complete educational experiences commensurate with their abilities and with the requirements of the board and the state.

## Emergency Safety Interventions

In rare instances, students are not able to respond to interventions designed to defuse confrontational behavior. In those instances, when the student’s behavior threatens injury to self or others, it may be necessary to use physical guidance to stop the behavior. A student may be physically moved to a room that will allow a calming process to begin and/or placed in a safety hold by staff if necessary. All staff members will be trained in the safety methods.

*See pages 29-30 for Standards for the use of Emergency Safety Interventions, KSDE, November 2021*

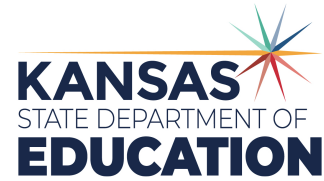
*See pages 31-38 for Emergency Safety Intervention Board Policy, Approved by KASB, June 2016*

For more information about ESI, please visit our website:

<https://www.ksdetasn.org/resources/915>

# Standards for the use of Emergency Safety Interventions

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Emergency safety interventions law sets forth standards for the use of restraint and seclusion to ensure that all Kansas students and staff have a safe learning environment. The standards found in the emergency safety intervention statutes and regulations are required to be followed in all Kansas public school districts and accredited private schools.

An emergency safety intervention is the use of seclusion or physical restraint. The use of an emergency safety intervention shall **cease as soon as the immediate danger of physical harm and violent action ceases to exist.**

Before using an emergency safety intervention, a school employee witnessing the student's behavior must have determined that **less restrictive alternatives** to emergency safety interventions, such as positive behavior interventions support, were inappropriate or ineffective under the circumstances.

An emergency safety intervention shall be used **only when a student presents a reasonable and immediate danger of physical harm to such student or others with the present ability to effect such physical harm.** Violent action that is destructive of property may necessitate the use of an emergency safety intervention if there is a reasonable and immediate danger of physical harm. An emergency safety intervention may not be used for purposes of discipline, punishment, or for the convenience of a school employee.

**Physical restraint** means bodily force used to substantially limit a student's movement. Physical restraint is **NOT**:

- Consensual, solicited or unintentional contact and contact to provide comfort, assistance or instruction;
- physical escort;
- prescribed treatments for a student's medical or psychiatric condition by a person appropriately licensed to issue these treatments;
- protective or stabilizing devices either ordered by an appropriately licensed professional or required by law;
- any device used by a law enforcement officer in carrying out law enforcement duties; and
- seatbelts and any other safety equipment when used to secure students during transportation.

**Prohibited** types of restraints:

- **Prone**, or face-down, physical restraint;
- **supine**, or face-up, physical restraint;
- any physical restraint that **obstructs the airway** of a student;
- any physical restraint that **impacts a student's primary mode of communication**;
- **chemical** restraint ("chemical restraint" means the use of medication to control a student's violent physical behavior or restrict a student's freedom of movement.); and
- **mechanical** restraint ("mechanical restraint" means any device or object used to limit a student's movement).

**Seclusion** means placement of a student in a location where:

- The student is placed in an **enclosed area** by school personnel;
- the student is **purposefully isolated** from adults and peers; and
- the student is **prevented from leaving**, or the student reasonably believes that such student will be prevented from leaving, the enclosed area.

An emergency safety intervention may not be used with a student if the student is known to have a **medical condition** that could put the student in mental or physical danger as a result of the use of an emergency safety intervention unless not using an emergency safety intervention would result in significant physical harm to the student or others. The medical condition must be indicated in a written statement from the student's licensed health care provider, and a copy of which shall be provided to the school and placed in the student's file. When a student is placed in seclusion, a school employee shall be able to **see and hear the student** at all times.

If a seclusion room has a locking door it must be designed to ensure that the lock automatically disengages when the school employee viewing the student walks away from the seclusion room, or in cases of emergency, such as fire or severe weather.

A seclusion room must be a **safe place**. The room must have good ventilation and lighting, and be free of any condition that could be a danger to the student. The room must also be similar to other rooms where students frequent.

Seclusion is **not time-out**, which is a behavioral intervention in which a student is temporarily removed from a learning activity without being confined.

## Emergency Safety Interventions - Board Policy

The board of education is committed to limiting the use of Emergency Safety Intervention ("ESI"), such as seclusion and restraint, with all students. Seclusion and restraint shall be used only when a student's conduct necessitates the use of an emergency safety intervention as defined below. The board of education encourages all employees to utilize other behavioral management tools, including prevention techniques, de-escalation techniques, and positive behavioral intervention strategies.

This policy shall be made available on the district website, with links to the policy available on any individual school pages. In addition, this policy shall be included in at least one of the following: each school's code of conduct, school safety plan, or student handbook. Notice of the online availability of this policy shall be provided to parents during enrollment each year.

### **Definitions**

"Campus police officer" means a school security officer designated by the board of education of any school district pursuant to K.S.A. 72-8222 and amendments thereto.

"Chemical Restraint" means the use of medication to control a student's violent physical behavior or restrict a student's freedom of movement.

"Emergency Safety Intervention" is the use of seclusion or physical restraint but does not include physical escort or the use of time-out.

"Incident" means each occurrence of the use of an emergency safety intervention.

"Law enforcement officer" and "police officer" mean a full-time or part-time salaried officer or employee of the state, a county, or a city, whose duties include the prevention or detection of crime and the enforcement of criminal or traffic law of this state or any Kansas municipality. This term includes a campus police officer.

"Legitimate law enforcement purpose" means a goal within the lawful authority of an officer that is to be achieved through methods or conduct condoned by the officer's appointing authority.

"Mechanical Restraint" means any device or object used to limit a student's movement.

"Parent" means: (1) a natural parent; (2) an adoptive parent; (3) a person acting as a parent as defined in K.S.A. 72-1046(d) (2), and amendments thereto; (4) a legal guardian; (5) an education advocate for a student with an exceptionality; (6) a foster parent, unless the student is a child with an exceptionality; or (7) a student who has

reached the age of majority or is an emancipated minor.

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

“Physical Restraint” means bodily force used to substantially limit a student’s movement except that consensual, solicited, or unintentional contact and contact to provide comfort, assistance, or instruction shall not be deemed to be physical restraint.

“School resource officer” means a law enforcement officer or police officer employed by a local law enforcement agency who is assigned to a district through an agreement between the local law enforcement agency and the district.

“School security officer” means a person who is employed by a board of education of any school district for the purpose of aiding and supplementing state and local law enforcement agencies in which the school district is located but is not a law enforcement officer or police officer.

“Seclusion” means placement of a student in a location where all of the following conditions are met: (1) the student is placed in an enclosed area by school personnel; (2) the student is purposefully isolated from adults and peers; and (3) the student is prevented from leaving, or reasonably believes that he or she will be prevented from leaving the enclosed area.

“Time-out” means a behavioral intervention in which a student is temporarily removed from a learning activity without being secluded.

### **Prohibited Types of Restraint**

All staff members are prohibited from engaging in the following actions with all students:

- Using face-down (prone) physical restraint;
- Using face-up (supine) physical restraint;
- Using physical restraint that obstructs the student’s airway;
- Using physical restraint that impacts a student’s primary mode of communication;
- Using chemical restraint, except as prescribed treatments for a student’s medical or psychiatric condition by a person appropriately licensed to issue such treatments; and
- Use of mechanical restraint, except:
  - Protective or stabilizing devices required by law or used in accordance with an order from a person appropriately licensed



- to issue the order for the device;
- Any device used by a certified law enforcement officer to carry out law enforcement duties; or
- Seatbelts and other safety equipment when used to secure students during transportation.

### **Use of Emergency Safety Interventions**

ESI shall be used only when a student presents a reasonable and immediate danger of physical harm to such student or others with the present ability to affect such physical harm. Less restrictive alternatives to ESI, such as positive behavior interventions support, shall be deemed inappropriate or ineffective under the circumstances by the school employee witnessing the student's behavior prior to the use of any ESI. The use of ESI shall cease as soon as the immediate danger of physical harm ceases to exist. Violent action that is destructive of property may necessitate the use of an ESI. Use of an ESI for purposes of discipline, punishment, or for the convenience of a school employee shall not meet the standard of immediate danger of physical harm.

### **ESI Restrictions**

A student shall not be subjected to ESI if the student is known to have a medical condition that could put the student in mental or physical danger as a result of ESI. The existence of such a medical condition must be indicated in a written statement from the student's licensed health care provider, a copy of which has been provided to the school and placed in the student's file.

Such a written statement shall include an explanation of the student's diagnosis, a list of any reasons why ESI would put the student in mental or physical danger, and any suggested alternatives to ESI. Notwithstanding the provisions of this subsection, a student may be subjected to ESI if not subjecting the student to ESI would result in significant physical harm to the student or others.

### **Use of Seclusion**

When a student is placed in seclusion, a school employee shall be able to see and hear the student at all times.

All seclusion rooms equipped with a locking door shall be designed to ensure that the lock automatically disengages when the school employee viewing the student walks away from the seclusion room or in case of emergency, such as fire or severe weather.

A seclusion room shall be a safe place with proportional and similar characteristics as other rooms where students frequent. Such room shall be free of any condition that could be a danger to the student, well-ventilated, and sufficiently lighted.

## **Training**

All staff members shall be trained regarding the use of positive behavioral intervention strategies, de-escalation techniques, and prevention techniques. Such training shall be consistent with nationally recognized training programs on ESI. The intensity of the training provided will depend upon the employee's position. Administrators, licensed staff members, and other staff deemed most likely to need to restrain a student will be provided more intense training than staff who do not work directly with students in the classroom. District and building administration shall make the determination of the intensity of training required by each position.

Each school building shall maintain written or electronic documentation regarding the training that was provided and a list of participants, which shall be made available for inspection by the state board of education upon request.

## **Notification and Documentation**

The principal or designee shall notify the parent the same day as an incident. The same-day notification requirement of this subsection shall be deemed satisfied if the school attempts at least two methods of contacting the parent. A parent may designate a preferred method of contact to receive the same-day notification. Also, a parent may agree, in writing, to receive only one same-day notification from the school for multiple incidents occurring on the same day.

Documentation of the ESI used shall be completed and provided to the student's parents no later than the school day following the day of the incident. Such written documentation shall include: (A) The events leading up to the incident; (B) student behaviors that necessitated the ESI; (C) steps taken to transition the student back into the educational setting; (D) the date and time the incident occurred, the type of ESI used, the duration of the ESI, and the school personnel who used or supervised the ESI; (E) space or an additional form for parents to provide feedback or comments to the school regarding the incident; (F) a statement that invites and strongly encourages parents to schedule a meeting to discuss the incident and how to prevent future incidents; and (G) email and phone information for the parent to contact the school to schedule the ESI meeting. Schools may group incidents together when documenting the items in subparagraphs (A), (B), and (C) if the triggering issue necessitating the ESIs is the same.

The parent shall be provided the following information after the first and each subsequent incident during each school year: (1) a copy of this policy which indicates when ESI can be used; (2) a flyer on the parent's rights; (3) information on the parent's right to file a complaint through the local dispute resolution process (which is set forth in this policy) and the complaint process of the state board of education; and (4)

information that will assist the parent in navigating the complaint process, including contact information for Families Together and the Disability Rights Center of Kansas. Upon the first occurrence of an incident of ESI, the foregoing information shall be provided in printed form or, upon the parent's written request, by email. Upon the occurrence of a second or subsequent incident, the parent shall be provided with a full and direct website address containing such information.

### **Law Enforcement, School Resource, and Campus Security Officers**

Campus police officers and school resource officers shall be exempt from the requirements of this policy when engaged in an activity that has a legitimate law enforcement purpose. School security officers shall not be exempt from the requirements of this policy.

If a school is aware that a law enforcement officer or school resource officer has used seclusion, physical restraint, or mechanical restraint on a student, the school shall notify the parent the same day using the parent's preferred method of contact. A school shall not be required to provide written documentation to a parent, as set forth above, regarding law enforcement use of an emergency safety intervention, or report to the state department of education any law enforcement use of an emergency safety intervention. For purposes of this subsection, mechanical restraint includes, but is not limited to, the use of handcuffs.

### **Documentation of ESI Incidents**

Except as specified above with regard to law enforcement or school resource officer use of emergency safety interventions, each building shall maintain documentation any time ESI is used with a student. Such documentation must include all of the following:

- Date and time of the ESI,
- Type of ESI, Length of time the ESI was used,
- School personnel who participated in or supervised the ESI,
- Whether the student had an individualized education program at the time of the incident,
- Whether the student had a section 504 plan at the time of the incident, and whether the student had a behavior intervention plan at the time of the incident.

All such documentation shall be provided to the building principal, who shall be responsible for providing copies of such documentation to the executive director or the executive director's designee on at least a biannual basis. At least once per school year, each building principal or designee shall review the documentation of ESI incidents with appropriate staff members to consider the appropriateness of the use

of ESI in those instances.

### **Reporting Data**

District administration shall report ESI data to the state department of education as required.

### **Parent Right to Meeting on ESI Use**

After each incident, a parent may request a meeting with the school to discuss and debrief the incident. A parent may request such a meeting verbally, in writing, or by electronic means. A school shall hold a meeting requested under this subsection within 10 school days of the parent's request. The focus of any such meeting shall be to discuss proactive ways to prevent the need for emergency safety interventions and to reduce incidents in the future.

For a student with an IEP or a Section 504 plan, such a student's IEP team or Section 504 plan team shall discuss the incident and consider the need to conduct a functional behavioral assessment, develop a behavior intervention plan, or amend the behavior intervention plan if already in existence.

For a student with a section 504 plan, such student's section 504 plan team shall discuss and consider the need for a special education evaluation. For students who have an individualized education program and are placed in a private school by a parent, a meeting called under this subsection shall include the parent and the private school, who shall consider whether the parent should request an individualized education program team meeting. If the parent requests an individualized education program team meeting, the private school shall help facilitate such a meeting.

For a student without an IEP or Section 504 plan, the school staff and the parent shall discuss the incident and consider the appropriateness of a referral for a special education evaluation, the need for a functional behavioral assessment, or the need for a behavior intervention plan. Any such meeting shall include the student's parent, a school administrator for the school the student attends, one of the student's teachers, a school employee involved in the incident, and any other school employees designated by the school administrator as appropriate for such a meeting.

The student who is the subject of such meetings shall be invited to attend the meeting at the discretion of the parent. The time for calling such a meeting may be extended beyond the 10-day limit if the parent of the student is unable to attend within that time period. Nothing in this section shall be construed to prohibit the development and implementation of a functional behavior assessment or a behavior intervention plan for any student if such a student would benefit from such measures.

### **Local Dispute Resolution Process**

If a parent believes that an emergency safety intervention has been used on the parent's child in violation of state law or board policy, the parent may file a complaint as specified below.

The board of education encourages parents to attempt to resolve issues relating to the use of ESI informally with the building principal and/or the executive director before filing a formal complaint with the board. Once an informal complaint is received, the administrator handling such a complaint shall investigate such matter, as deemed appropriate by the administrator. In the event that the complaint is resolved informally, the administrator must provide a written report of the informal resolution to the executive director and the parents and retain a copy of the report at the school. The executive director will share the informal resolution with the board of education and provide a copy to the state department of education.

If the issues are not resolved informally with the building principal and/or the executive director, the parents may submit a formal written complaint to the board of education by providing a copy of the complaint to the clerk of the board and the executive director within thirty (30) days after the parent is informed of the incident.

Upon receipt of a formal written complaint, the board president shall assign an investigator to review the complaint and report findings to the board as a whole. Such an investigator may be a board member, a school administrator selected by the board, or a board attorney. Such investigators shall be informed of the obligation to maintain the confidentiality of student records and shall report the findings of fact and recommended corrective action, if any, to the board in executive session.

Any such investigation must be completed within thirty (30) days of receipt of the formal written complaint by the board clerk and executive director. On or before the 30th day after receipt of the written complaint, the board shall adopt written findings of fact and, if necessary, appropriate corrective action. A copy of the written findings of fact and any corrective action adopted by the board shall only be provided to the parents, the school, and the state department of education and shall be mailed to the parents and the state department within 30 days of the board's receipt of the formal complaint.

If desired, a parent may file a complaint under the state board of education administrative review process within thirty (30) days from the date a final decision is issued pursuant to the local dispute resolution process.

Approved: KASB Recommendation - 6/19; 12/13; 6/15; 6/16

## Acknowledgment of Receipt of Handbook

The Special Day Program Student Handbook will be made available to all enrolled students.

I have read, and I understand the contents. Further, I understand:

As a condition of enrollment, students agree to follow the rules and regulations which have been adopted by the board. This handbook may be changed or modified and items added or deleted at any time as recommended by the Director of Special Education and approved by the Board. Students will be made aware of policy updates through the Director of Special Education or a designee.

Student's Full Name (printed): \_\_\_\_\_

Signature of Student: \_\_\_\_\_

Signature of Parent: \_\_\_\_\_

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