



Academy for Integrated Arts

## Board Policies

## Table of Contents

SECTION 1: BOARD GOVERNANCE POLICIES .....	5
Policy 1.1: Policies and Procedures.....	5
Policy 1.2: Conflict of Interest Policy .....	6
Policy 1.3: Sunshine Law (Chapter 610) Policy .....	10
Policy 1.4: Nepotism Model Policy.....	11
SECTION 2: OPERATIONAL POLICIES.....	12
Policy 2.1: Civil Rights, Title IX, Section 504 .....	12
Policy 2.2: Official School Year and School Day .....	13
Policy 2.3: School Annual Report.....	14
Policy 2.4: Public Inspection .....	15
Policy 2.5: Title I .....	16
Policy 2.6: Equal Educational Opportunity .....	17
Policy 2.7: Student of Legal Age.....	18
Policy 2.8: Student Educational Records .....	19
Policy 2.9: Health Information Records .....	20
Policy 2.10: School Safety Plan and Emergency Closing Procedures.....	21
Policy 2.11: Communicable Diseases.....	22
Policy 2.12: Distribution of Medicine .....	23
Policy 2.13: Immunizations .....	24
Policy 2.14: Student Group Use of Facilities.....	25
Policy 2.15: Procurement .....	26
Policy 2.16: School Attendance .....	29
Policy 2.17: Student Attendance and Accounting .....	30
Policy 2.18: Eye Protection .....	31
Policy 2.19: Reading Instruction.....	32
Policy 2.20: Human Sexuality and Sexually Transmitted Diseases Instruction.....	33
Policy 2.21: Textbooks .....	35
Policy 2.22: Grading and Reporting.....	36
Policy 2.23: School Admissions .....	37
Policy 2.24: Student Fee .....	39

Policy 2.25: Student Records .....	40
Policy 2.26: Volunteers and Chaperones.....	41
Policy 2.27: Parents and Student Complaints and Grievances.....	43
Policy 2.28: Technology Acceptable Use Policy.....	44
Policy 2.29: Drug Free Schools.....	46
Policy 2.30: Truancy, Child Abuse, and Educational Neglect.....	47
Policy 2.31: Discipline .....	48
Policy 2.32: Threats of Violence.....	60
Policy 2.33: Weapons at School.....	61
Policy 2.34: Student Safety .....	62
Policy 2.35: Seclusion, Restraint and Corporal Punishment .....	63
Policy 2.36: Services for Students with Disabilities .....	65
Policy 2.37: Instruction for Students with Disabilities.....	66
Policy 2.38: Instruction for At-Risk Students.....	67
Policy 2.39: Active Shooter Training and Drills .....	68
Policy 2.40: English Language Learners (ELL) Policy.....	69
Policy 2.41: Program for Homeless Students Policy .....	71
Policy 2.42: LEA Title I.A Parental Involvement Policy and School Title I.A Parental Involvement Policy .....	75
Policy 2.44: Migrant Procedure.....	79
Policy 2.45: Age Criteria for Pre-Kindergarten and Kindergarten Admission .....	80
Policy 2.46: Dyslexia Screening .....	81
Policy 2.47: Missouri Course Access and Virtual School Program .....	82
Policy 2.48: Braille Instruction.....	84
Policy 2.49: Strip Searches .....	85
Policy 2.50: Organ, Eye, and Tissue Donation.....	86
Policy 2.51: Title IX Sexual Harassment Policy.....	87
Policy 2.52 Alternative Methods of Instruction Plan Model Policy .....	96
Policy 2.53: Student and Classroom Observations Policy .....	97
Policy 2.54: Virtual Education Observation Policy .....	98
Policy 2.55: Interstate Compact on Educational Opportunity for Military Children Policy .....	99

SECTION 3: FINANCIAL OPERATIONS POLICIES .....	103
Policy 3.1: Annual Operating Budget Policy .....	103
Policy 3.2: School Accounting System Policy.....	104
Policy 3.3: Audit and Financial Statements Policy.....	105
Policy 3.6: Payroll Policy .....	106
Policy 3.7: Federal Fiscal Compliance Policy .....	107
Policy 3.8: Capital Assets Accounting Policy .....	111
Policy 3.9: State Tax Sources Policy.....	112
Policy 3.10: State and Federal Projects Policy. ....	113
Policy 3.11: Borrowing Funds Policy .....	114
Policy 3.12: Bonded Indebtedness Policy .....	115
Policy 3.13: Authorized Signatures on all Financial Accounts .....	116
SECTION 4: HUMAN RESOURCES .....	117
Policy 4.1: Extended Leave Policy .....	117
Policy 4.2: Equal Employment Opportunity Policy .....	120
Policy 4.3: Drug Free Workplace Policy .....	121
Policy 4.4: Harassment Policy.....	122
Exhibit 1: Responding to Agency Complaints of Harassment .....	124
Exhibit 2: Harassment Investigation Checklist .....	125
Policy 4.5: Judicial, Military Duty, Voting Leave, Leave, and Religious Leave Policy.....	127
Policy 4.6: Employment Status: At-Will Employment Policy .....	128
Policy 4.7: Professional Personnel Hiring and Recruitment Policy.....	129
Policy 4.8: Personnel Evaluations Policy .....	130
Policy 4.9: Employee Dress Code Policy .....	131
Policy 4.10: Staff Complaints and Grievances Policy .....	133
Policy 4.11: Sick Leave and Personal Leave Policy.....	136
Policy 4.13: Communicable Diseases Policy (note also refer to Policy 2.11).....	138

## **SECTION 1: BOARD GOVERNANCE POLICIES**

### **Policy 1.1: Policies and Procedures**

The Board of the Academy for Integrated Arts will develop, approve, and enforce all board policies and procedures. The Board of the Academy for Integrated Arts will review all policies annually. The Board of the Academy for Integrated Arts will update policies as needed and as required by applicable law. All updated policies will be approved by a vote at regularly-scheduled or special Board meetings.

By-laws are updated as needed and are available for inspection at AFIA, 7910 Troost.

## Policy 1.2: Conflict of Interest Policy

This policy establishes expectations for Governing Board member conflicts of interest.

### Article I

#### Purpose

The purpose of the conflict of interest policy is to protect this tax-exempt organization's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the Organization or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations. As a charter school, certain special state conflicts of interest policies apply as discussed herein.

### Article II

#### Definitions

1. Interested Person

Any director, principal officer, or member of a committee with Governing Board delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.

2. Financial Interest

A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

- a. An ownership or investment interest in any entity with which the Organization has a transaction or arrangement,
- b. A compensation arrangement with the Organization or with any entity or individual with which the Organization has a transaction or arrangement, or
- c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Organization is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

A financial interest is not necessarily a conflict of interest. Under Article III, Section 2, a person who has a financial interest may have a conflict of interest only if the appropriate Governing Board or committee decides that a conflict of interest exists.

### Article III

#### Procedures

1. Duty to Disclose

In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the directors and members of committees with Governing Board delegated powers considering the proposed transaction or arrangement.

## 2. Determining Whether a Conflict of Interest Exists

After disclosure of the financial interest and all material facts, and after any discussion with the interested person, s/he shall leave the Governing Board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.

Under Missouri law, the following are conflicts of interest. The Board has no discretion on whether these items present a conflict of interest. No person shall be appointed to the board unless they meet the following requirements. Any board member who is in violation of any of these requirements is ineligible to serve and shall immediately forfeit their office:

- a. No member of the Board shall hold any other office or employment from the board while serving as a member of the board.
- b. No member of the board shall have any substantial interest (see section 105.450 RSMo for a definition) in any entity employed by or contracting with the board.
- c. No member of the board shall be an employee of a company that provides substantial services to the charter school.

## 3. Procedures for Addressing the Conflict of Interest

- a. An interested person may make a presentation at the Governing Board or committee meeting, but after the presentation, s/he shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
- b. The chairperson of the Governing Board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
- c. After exercising due diligence, the Governing Board or committee shall determine whether the Organization can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
- d. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the Governing Board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Organization's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination, it shall make its decision as to whether to enter into the transaction or arrangement.

4. Violations of the Conflicts of Interest Policy

a. If the Governing Board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.

b. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the Governing Board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

Article IV

Records of Proceedings

The minutes of the Governing Board and all committees with board delegated powers shall contain:

a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the Governing Board's or committee's decision as to whether a conflict of interest in fact existed.

b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

Article V

Compensation

a. A voting member of the Governing Board who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.

b. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.

c. No voting member of the Governing Board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

Article VI

Annual Statements



Each director, principal officer and member of a committee with Governing Board delegated powers shall annually sign a statement which affirms such person:

- a. Has received a copy of the conflicts of interest policy,
- b. Has read and understands the policy,
- c. Has agreed to comply with the policy, and
- d. Understands the Organization is charitable and in order to maintain its federal tax exemption, it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

## Article VII

### Periodic Reviews

To ensure the Organization operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- a. Whether compensation arrangements and benefits are reasonable, based on competent survey information, and the result of arm's length bargaining,
- b. Whether partnerships, joint ventures, and arrangements with management organizations conform to the Organization's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

## Article VIII

### Use of Outside Experts

When conducting the periodic reviews as provided for in Article VII, the Organization may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the Governing Board of its responsibility for ensuring periodic reviews are conducted.

## Policy 1.3: Sunshine Law (Chapter 610) Policy

### RESOLUTION

**WHEREAS, Section 610.023.1**, RSMo, provides that a public governmental body is to appoint a custodian to maintain that body's records and the identity and location of the custodian is to be made available upon request; and

**WHEREAS, Section 610.026**, RSMo, sets forth that a public governmental body shall provide access to and, upon request, furnish copies of public records; and

**WHEREAS, Section 610.028.2**, RSMo, provides that a public governmental body shall provide a reasonable written policy in compliance with sections 610.010 to 610.030, RSMo, commonly referred to as the Sunshine Law, regarding the release of information on any meeting, record or vote.

#### **NOW, THEREFORE, BE IT RESOLVED:**

1. That the Executive Director be and hereby is appointed custodian of the records of Academy for Integrated Arts and that such custodian is located at 7910 Troost Avenue, Kansas City, Missouri 64131.
2. That said custodian shall respond to all requests for access to or copies of a public record within the time period provided by statute except in those circumstances authorized by statute.
3. That the fees to be charged for access to or furnishing copies of records shall be as hereinafter provided: \$0.10 per page for paper copies 9"x14" or smaller, plus an hourly fee equal to the average rate of pay for clerical staff for duplicating time. Research time may be billed at actual cost.
4. That it is the public policy of Academy for Integrated Arts that meetings, records, votes, actions and deliberations of this body shall be open to the public unless otherwise provided by law.
5. That AFIA hereby closes all public records to the extent authorized by law.
6. That AFIA shall comply with sections 610.010 to 610.030, RSMo, the Sunshine Law, as now existing or hereafter amended.

## **Policy 1.4: Nepotism Model Policy**

Board members shall not debate or vote upon the employment of any person to whom they are related within the fourth degree of consanguinity or affinity. Provided the Board member does not debate or vote upon the employment, the Board may vote to employ a person related to a Board member.

## SECTION 2: OPERATIONAL POLICIES

### Policy 2.1: Civil Rights, Title IX, Section 504

The School assures that it will comply with:

1. Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d et seq., prohibiting discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance.
2. Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. 794, which prohibits discrimination on the basis of disability in programs and activities receiving Federal financial assistance.
3. Title IX of the Education Amendments of 1972 (Title IX), as amended, 20 U.S.C. 1681 et seq., which prohibits discrimination on the basis of sex in educational programs and activities receiving Federal financial assistance. The provisions of Title IX apply to students with regard to educational opportunities and freedom from harassment, employees with regard to employment opportunities and freedom from harassment, and to individuals with whom the Board does business.
4. The Age Discrimination Act of 1975, as amended 42 U.S.C. 6101 et seq., prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance.
5. All regulations, guidelines, and standards lawfully adopted under the above statutes by the United States Department of Education.

The School shall appoint an administrator(s) to assure compliance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, and the Age Discrimination Act of 1975. The School may designate only one employee to serve as both the Title IX and Section 504 Coordinator. In that case, the individual must assume the responsibilities of both coordinators.

It is the policy of the School to process all grievances in a fair and expeditious manner, with the intent of resolving them in a mutually agreeable manner.

## Policy 2.2: Official School Year and School Day

The Board will annually adopt a school calendar that will provide for at least 1,044 hours of pupil attendance. The calendar shall also include thirty-six make-up hours for the possible loss of attendance due to inclement weather. The length of the school day will meet Missouri Department of Elementary and Secondary Education requirements for six (6) clock hours of instruction. A school year and school day, in excess of the state required minimum, may be recommended by the School leader and approved by the Board.

If the School is dismissed due to inclement weather after school has been in session that day shall count as a full day. When the total hours lost due to inclement weather exceed the number of days built into the calendar will be made up in half or full day additions at the end of the school term.

The School shall be required to make up the first 36 hours lost or canceled in excess of the days built in to the calendar due to inclement weather and half the number of hours lost or canceled in excess of thirty-six make-up hours if the makeup hours are necessary to ensure that the students attend a minimum of one thousand forty-four hours for the school year. For purposes of this Policy, “inclement weather” shall mean ice, snow, extreme cold, flooding or a tornado.

The school is exempt from the requirement to make up school lost or canceled due to inclement weather when the school has made up the required thirty-six hours (see above) and half the number of additional lost or cancelled hours (with a cap of forty-eight), resulting in no more than sixty total make-up hours.

The School is exempt from making up, up to 36 hours of school, lost or cancelled due to exceptional or emergency circumstances if the School has alternative methods of instruction plan approved by Missouri Department of Elementary and Secondary Education. For purposes of this policy, exceptional or emergency circumstances shall include, but not be limited to, inclement weather, a utility outage, or an outbreak of a contagious disease.

### **Policy 2.3: School Annual Report**

School officials will submit to the Missouri Department of Elementary and Secondary Education all data and reports as required by applicable laws and regulations of the Missouri State Board of Education.

The Annual Report will be completed and submitted in accordance with department regulations. The Annual Report will be available to all School patrons, and to each member of the General Assembly whose legislative district contains a portion of the School's attendance area.

## Policy 2.4: Public Inspection

As required by Missouri statutes, the School shall make available for public inspection, and provide upon request, to the parent, guardian, or other custodian of any school-age pupil resident in the LEA in which the school is located the following information:

- (1) The school's charter;
- (2) The school's most recent annual report card published according to section 160.522, RSMo;
- (3) The results of background checks on the charter school's board members; and
- (4) If operated by a management company, a copy of the written contract between the Governing Board of the school and the educational management organization or the charter management organization for services. The charter school may charge reasonable fees, not to exceed the rate specified in section 610.026, RSMo for furnishing copies of documents under this subsection.
- (5) The school website shall contain a searchable expenditure and revenue document or database detailing actual income, expenditures, and disbursements for the current calendar or fiscal year as specified in section 160.066, RSMo.

## **Policy 2.5: Title I**

### **Parent Involvement**

The Board recognizes the importance of parental involvement with the Title I program. The School Administration will provide a variety of opportunities for parents to be involved in policy design and in the planning, implementation and review of Title I programs.

### **Reporting Requirements**

Pursuant to the provisions of the Every Student Succeeds Act of 2015, the School will submit its Federal Title I LEA Plan, describing the School's Title I services.



## **Policy 2.6: Equal Educational Opportunity**

The School shall provide a free and appropriate education for students with disabilities. Students with disabilities are those who, because of certain atypical characteristics, have been identified by professionally qualified personnel as requiring special educational planning and services. Students with disabilities will be identified on the basis of physical, health, sensory, and/or emotional handicaps, behavioral problems or observable exceptionalities in mental ability. It is possible that a student may have more than one type of disability.

The School's programs and services available to meet the needs of these students will be in accordance with The Individuals with Disabilities Education Act, The Education for All Handicapped Students Act of 1975, The Rehabilitation Act of 1973, Section 504, and Missouri Special Education Services requirements found in § 162.670 - .995 RSMo., In addition, the identification of students with disabilities and the services provided by the LEA will be in accordance with the regulations and guidelines of the Missouri Department of Elementary and Secondary Education's Current Plan for Part B of The Education of the Handicapped Act, as amended.

## **Policy 2.7: Student of Legal Age**

Upon attainment of the age of eighteen (18), students will be deemed to be adults for purposes of educational records, placement and reporting.

## **Policy 2.8: Student Educational Records**

The School will comply with the mandates of the Family Educational Rights and Privacy Act (FERPA) and the Safe Schools Act regarding confidentiality of student records and disclosure of personally identifiable information.

The parents/guardians of students who are attending or have attended the School have the right to inspect and review the educational records of their students and to request amendment of their students' educational records due to errors and/or omission. The School has adopted procedures for the granting of parental requests for access to the educational records of their students within a reasonable period of time, but in no case more than forty-five (45) days after the request is made.

All information contained in a student's educational record, except information designated as directory information by the School, shall be confidential and shall be directly accessible only to school officials who demonstrate a legitimate educational interest in the student's records and to parents/guardians or eligible students.

Upon request by military recruiters or an institution of higher learning, the School will provide students' names, addresses and telephone listings. Parents will be notified annually of their right to individually request that such information not be released without prior parental consent. Military recruiters will be provided the same access to students as is given to institutions of higher learning.

## **Policy 2.9: Health Information Records**

Except as otherwise required to comply with the Individuals with Disabilities Act (IDEA) or Section 504 of the Rehabilitation Act of 1973 (Section 504), records containing student health information will be stored separately from other student records in a locked file cabinet or in a secure computer file.

## **Policy 2.10: School Safety Plan and Emergency Closing Procedures**

SECTION 1. School Safety Plan: The School will cooperate fully with local emergency management preparedness authorities to develop and implement an emergency management preparedness program addressing man-made and natural disasters.

SECTION 2. Emergency Suspension of School Operations or Activities

SECTION 2.1. The Governing Board further authorizes the Executive Director to suspend school operations or activities in the event of abnormal conditions, hazardous weather, or other emergencies that threaten the safety, welfare, or health of students or employees and to take whatever measures he/she deems necessary to protect students and staff.

SECTION 2.2. The Executive Director shall establish orderly procedures to assure that appropriate communications with students, staff, and other stakeholders are maintained before, during and after the abnormal conditions potentially or actually causing suspension of school operations or activities. At a minimum, instruction on obtaining information pertaining to suspension of school operations and activities for students, staff, and other stakeholders shall be published in the student and staff handbooks.

SECTION 2.3. School activities, defined as extracurricular events, activities, clubs, competitions, and the like, held before or after the official school day, shall not be held if normal school operations have been suspended on the same day. The Executive Director shall communicate with students and parents in a timely manner regarding the cancellation of these activities.

SECTION 2.4. At the Executive Director's discretion, school activities as defined above, may be canceled even after operation of a regular school day if conditions exist to warrant such suspension. The Executive Director shall communicate with students and parents in a timely manner regarding the cancellation of these activities.

## Policy 2.11: Communicable Diseases

A student shall not attend classes or other school-sponsored activities, if the student (1) has, or has been exposed to, an acute (short duration) or chronic (long duration) contagious or infectious disease, and (2) is liable to transmit the contagious or infectious disease, unless the School leader or its designee has determined, based upon medical evidence, that the student:

1. No longer has the disease.
2. Is not in the contagious or infectious stage of an acute disease.
3. Has a chronic infectious disease that poses little risk of transmission in the school environment with reasonable precautions.

School officials may require any child suspected of having a contagious or infectious disease to be examined by a physician and may exclude the child from school, in accordance with the procedures authorized by this policy, so long as there is a substantial risk of transmission of the disease in the school environment.

A student who has a chronic infectious disease, and who is permitted to attend school, may be required to do so under specified conditions. Failure to adhere to the conditions will result in the student being excluded from school. A student who has a chronic infectious disease and who is not permitted to attend school or participate in school activities will be provided instruction in an alternative educational setting in accordance with school policy.

Students with acute or chronic contagious or infectious diseases and their families have a right to privacy and confidentiality. Only staff members who have a medical reason to know the identity and condition of such students will be informed. Willful or negligent disclosure of confidential information about a student's medical condition by staff members will be cause for disciplinary action.

The School will implement reporting and disease outbreak control measures in accordance with the provisions of Missouri Department of Health publication PACH-16, "Prevention and Control of Communicable Diseases: A Guide for School Administrators, Nurses, Teachers and Day Care Operators," a copy of which shall be on file in the office of the School Leader.

## Policy 2.12: Distribution of Medicine

### SECTION 1. General Policy Provisions

SECTION 1.1. If the charter school employs a school nurse, the nurse (or another employee designated by the Executive Director or other authorized Executive Director) may provide assistance with medication (this includes prescription or over-the-counter medication) only if all of the following requirements are met:

SECTION 1.1.1. Prescription drugs must be in the original container, bear the name of the student, the name of the physician and the name of the pharmacy filling the prescription. Over-the-counter drugs must be maintained in the original container.

SECTION 1.1.2. The appropriate approval form for medication must have been completed and signed by the parent or guardian for each medication.

SECTION 1.1.3. The school nurse or other designated employee shall keep a written report of medication taken by the student.

SECTION 1.2. The School reserves the right to refuse to administer certain types of medication at the discretion of the school nurse or other employee authorized by the Executive Director or Principal when such administration could prove harmful to staff or student without proper training or direction of a doctor.

## Policy 2.13: Immunizations

Please see the following link for 2022 required immunizations:  
<http://health.mo.gov/living/wellness/immunizations/pdf/2022schoolrequirements.pdf>

SECTION 1. All students attending Academy for Integrated Arts are required to be in compliance with state law mandating immunization against specific diseases. Failure to comply with School immunization requirements will result in exclusion from school until proof of compliance is provided. Homeless children will be granted a temporary twenty-four (24) hour grace period within which to submit proof of compliance.

SECTION 2. The School Leader shall institute procedures for the maintenance of health records, which are to show the immunization status of every student enrolled or attending the School, and for the completion of all necessary reports in accordance Missouri Department of Health and Senior Services' guidelines



## **Policy 2.14: Student Group Use of Facilities**

Pursuant to the Equal Access Act, the Board will provide an opportunity for student-initiated non-curricular groups to conduct meetings on school premises, during non-instructional time, and will not discriminate against students on the basis of the religious, political or philosophical content of the speech at such meetings.

## Policy 2.15: Procurement

### Policy 2.15: Procurement

Any procurement of goods and services up to \$10,000 shall be made by the Executive Director. Procurement of goods and services between \$10,000-\$25,000 must be approved by the Finance Committee. Procurement of goods and services over \$25,000 must be approved by the Board. Any procurement of goods and services exceeding \$25,000 may require the release of a request for proposal (RFP) at the discretion of the Board, and Board approval. Any procurement of goods and services exceeding \$50,000 shall require an RFP and Board approval.

All purchases shall be in the best interest of the School, upon considering the totality of the circumstances surrounding the procurement, which may include but not be limited to, price, quality, availability, timelines, reputation and prior dealings.

The School shall not purchase any goods or services from any member of the Board, an immediate family member of any member of the Board nor from any entity in which any member of the Board or an immediate family member of a Board member may benefit from such a procurement, unless authorized by the Board after a full disclosure of the conflict of interest or any potential conflict of interest and after the consideration set forth in paragraph 1 above.

This policy applies to purchases made using non-federal funds. As a condition of the receipt of certain federal funds, federal procurement requirements still apply as listed below.

#### PROCUREMENT POLICY/PROCEDURES APPLIED TO THE USE OF FEDERAL FUNDS

Procurement standards apply to the purchase of supplies, equipment, construction (if approved) and other services funded in whole or in part by federal grant funds. Subgrantees/recipients' procurement policies must be in accordance with 34 CFR 80.36 when using federal funds.

#### **Procurement Standards**

- LEAs will use their own procurement procedures which reflect applicable State and local laws and regulations, provided that the procurement conforms to applicable Federal law and the standards under EDGAR 80.36.

- o Procurement Procedures must be in written form

- Maintain a contract administration system which ensures contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders
- Maintain a written code of standards of conduct governing the performance of their employees engaged in the award and administration of contracts. No employee, officer or agent of the grantee or subgrantee shall participate in selection, or in the award or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved.
- Review all proposed purchases to avoid unnecessary or duplicative items
- Maintain records sufficient to detail the significant history of procurements. These records will include: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.
- Have protest procedures to handle and resolve disputes relating to their procurements

#### **Competition**

Academy for Integrated Arts Board Policies – Updated July 22, 2021

Policies were adapted from ©2016, 2019 & 2020 Missouri Charter Public School Association's Model Policies.

- Must not restrict competition
  - Will have written selection procedures for procurement transactions. These procedures will ensure that all solicitations incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition.
  - Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

**Methods of Procurement to be Followed**

- Procurement by small purchase procedures
  - Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than the simplified acquisition threshold fixed at 41 U.S. C. 403(11) (currently set at \$100,000). If small purchase procedures are used, price or rate quotations shall be obtained from an adequate number of qualified sources.
- Procurement by sealed bids (formal advertising)
  - Bids are publicly solicited and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price.
- Procurement by competitive proposals.
  - The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids.
- Procurement by noncompetitive proposals
  - Procurement through solicitation of a proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate. An example would be a single feasible source or an emergency situation.

**Items that Contract Provisions Must Contain**

- Administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as may be appropriate. (Contracts more than the simplified acquisition threshold)
- Termination for cause and for convenience by the grantee or subgrantee including the manner by which it will be effected and the basis for settlement. (All contracts in excess of \$10,000)
- Compliance with Executive Order 11246 entitled “Equal Employment Opportunity” (All construction contracts awarded in excess of \$10,000 by grantees and their contractors or subgrantees)
- Compliance with the Copeland “Anti-Kickback” Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR part 3). (All contracts and subgrants for construction or repair)
- Compliance with the Davis-Bacon Act (40 U.S.C. 276a to 276a–7) as supplemented by Department of Labor regulations (29 CFR part 5). (Construction contracts in excess of \$2000 awarded by grantees and subgrantees when required by Federal grant program legislation)
- Retention of all required records for three years after grantees or subgrantees make final payments and all other pending matters are closed.

Based on information provided by Missouri's Department of Elementary and Secondary Education:

<https://dese.mo.gov/sites/default/files/LEAProcurementPolicyelements.pdf>

## Policy 2.16: School Attendance

SECTION 1. The Board shall abide by the compulsory attendance laws of the state, with the exception of those students who may be excused from full-time attendance by the School Leader. Individual petitions for any deviation from full-time attendance shall be considered by the School Leader on the merits of the individual student's application and in compliance with state law and regulations.

SECTION 2. Students may attend the School on a part-time basis as provided by state law and regulations of the Board.

SECTION 3. In order to receive maximum benefit from the instructional activities, students are expected to be in school each day unless excused for legitimate reasons. Students and parents must assume responsibility for being punctual and regular in attendance.

SECTION 4. Attendance Rules.

SECTION 4.1. Absences will be classified as excused or unexcused. Excused absences are those due to emergencies such as:

- a) Personal illness or attendance in school endangers a student's health or the health of others.
- b) A serious illness or death in a student's immediate family necessitating absence from school.
- c) A court order or an order by a governmental agency mandating absence from school.
- d) Observance of religious holidays.
- e) Conditions rendering attendance impossible or hazardous to student health or safety.
- f) A student whose parent or legal guardian is in military service in the armed forces of the United States or the National Guard, and such parent or legal guardian has been called to duty for or is on leave from overseas deployment to a combat zone or combat support posting, shall be granted excused absences, up to a maximum of five school days per school year, for the day or days missed from school to visit with his or her parent or legal guardian prior to such parents or legal guardians deployment or during such parents or legal guardian leave.

SECTION 4.2. Unexcused absences are all failures to attend school other than those specifically listed above.

SECTION 4.3. If a student is absent from school, the student must bring an excuse from home the day the student returns.

SECTION 4.4. When the student is absent, the school will attempt to contact the parent/guardian to determine the cause of absence. However, the written excuse must be brought, whether or not a contact is made by phone. The School Leader designee for absentee calls will maintain an accurate phone log.

SECTION 4.5. All work missed due to absence must be made up by the student within a reasonable time or the student risks not receiving credit for the missed work. It is the student's responsibility to make arrangements with the teacher for make-up work.

SECTION 4.6. In order to participate in an extracurricular or after school activity, a student must be in attendance on the school day of the activity.

## Policy 2.17: Student Attendance and Accounting

An accurate accounting of student attendance, transportation and food service records shall be kept by the School. The records will be in accordance with state law and appropriate regulations of the Missouri Department of Elementary and Secondary Education.

The Executive Director will be responsible for maintaining student attendance accounting, and for submitting monthly reports of such records to the Board.

In addition, the Finance Committee will be responsible for:

- reviewing annually AFIA's internal procedures for ensuring accurate disclosure of attendance data and interviewing staff to verify those procedures are being followed
- comparing Attendance Hours Summary Report provided to MO DESE to Attendance Hours Summary Report
- conducting, twice per year, on-site attendance counts and comparing to Core Data reports
- reviewing, annually, the student information system's permissions to verify only those authorized have access to data changing privileges.

reviewing annually the Schedule of Selected Statistics in the Supplementary Information section of the Independent Auditor's Report.

## Policy 2.18: Eye Protection

Every student, teacher and visitor is required to wear an industrial quality eye protective device when participating in or observing any of the following:

(1) Vocational, technical, industrial arts, chemical, or chemical-physical shops or laboratories involving exposure to the following: Hot molten metals, or other molten materials; milling, sawing, turning, shaping, cutting, grinding or stamping of any solid materials; heat treatment, tempering, or kiln firing of any metal or other materials; gas or electric arc welding, or other forms of welding processes; repair or servicing of any vehicle; caustic or explosive materials;

(2) Chemical, physical, or combined chemical-physical laboratories involving caustic or explosive materials, hot liquids or solids, injurious radiations or other hazards not enumerated.

"Industrial quality eye protective devices" means devices meeting the standards of the American National Standard Practice for Occupational and Educational Eye and Face Protection, Z87.1-1968, and subsequent revisions thereof, approved by the American National Standards Institute, Inc.

## **Policy 2.19: Reading Instruction**

Pursuant to the Missouri Reading Instruction Act (Section 170.014) the school shall have reading programs in kindergarten through grade three based in scientific research. Such programs shall include the essential components of phonemic awareness, phonics, fluency, vocabulary, and comprehension, and all new teachers who teach reading in kindergarten through grade three shall receive adequate training in these areas. The program may include "explicit systematic phonics", which, for the purposes of this section, shall mean the methodology of pronouncing and reading words by learning the phonetic sound association of individual letters, letter groups, and syllables, and the principles governing these associations.



## Policy 2.20: Human Sexuality and Sexually Transmitted Diseases Instruction

Pursuant to Missouri law (section 170.015):

SECTION 1. Any course materials and instruction relating to human sexuality and sexually transmitted diseases shall be medically and factually accurate and shall:

- (1) Present abstinence from sexual activity as the preferred choice of behavior in relation to all sexual activity for unmarried pupils because it is the only method that is one hundred percent effective in preventing pregnancy, sexually transmitted diseases and the emotional trauma associated with adolescent sexual activity, and advise students that teenage sexual activity places them at a higher risk of dropping out of school because of the consequences of sexually transmitted diseases and unplanned pregnancy;
- (2) Stress that sexually transmitted diseases are serious, possible, health hazards of sexual activity. Pupils shall be provided with the latest medical information regarding exposure to human immunodeficiency virus, acquired immune deficiency syndrome (AIDS), human papilloma virus, hepatitis and other sexually transmitted diseases;
- (3) Present students with the latest medically factual information regarding both the possible side effects and health benefits of all forms of contraception, including the success and failure rates for the prevention of pregnancy and sexually transmitted diseases; or shall present students with information on contraceptives and pregnancy in a manner consistent with the provisions of the federal abstinence education law, 42 U.S.C. Section 710;
- (4) Include a discussion of the possible emotional and psychological consequences of preadolescent and adolescent sexual activity and the consequences of adolescent pregnancy, as well as the advantages of adoption, including the adoption of special needs children, and the processes involved in making an adoption plan;
- (5) Teach skills of conflict management, personal responsibility and positive self-esteem through discussion and role-playing at appropriate grade levels to emphasize that the pupil has the power to control personal behavior. Pupils shall be encouraged to base their actions on reasoning, self-discipline, sense of responsibility, self-control, and ethical considerations, such as respect for one's self and others. Pupils shall be taught not to make unwanted physical and verbal sexual advances or otherwise exploit another person. Pupils shall be taught to resist unwanted sexual advances and other negative peer pressure;
- (6) Advise pupils of the laws pertaining to their financial responsibility to children born in and out of wedlock and advise pupils of the provisions of chapter 566 pertaining to statutory rape.
- (7) Teach pupils about the dangers of sexual predators, including online predators when using electronic communication methods such as the internet, cell phones, text messages, chat rooms, email, and instant messaging programs. Pupils shall be taught how to behave responsibly and remain safe on the internet and the importance of having open communication with responsible adults and reporting any inappropriate situation, activity, or abuse to a responsible adult, and depending on intent and content, to local law enforcement, the Federal Bureau of Investigation, or the National Center for Missing & Exploited Children's Cyber Tipline;
- (8) Teach pupils about the consequences, both personal and legal, of inappropriate text messaging, even amount friends;
- (9) Teach pupils about sexual harassment, sexual violence, and consent:

(a) "Consent" means a freely given agreement to the conduct at issue by a competent person. An expression of lack of consent through words or conduct means there is no consent. Lack of verbal or physical resistance or submission resulting from the use of force, threat of force, or placing another person in fear does not constitute consent. A current or previous dating or social or sexual relationship by itself or the manner of dress of the person involved with the accused in the conduct at issue shall not constitute consent;

(b) "Sexual Harassment" means uninvited and unwelcome verbal or physical behavior of a sexual nature especially by a person in authority toward a subordinate;

(c) "Sexual Violence" means causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, duress, or without that person's consent.

SECTION 2. When providing human sexuality instruction students may be separated according to gender for instructional purposes.

SECTION 3. The school shall notify the parent or legal guardian of each student enrolled in the school of:

(1) The basic content of the district's or school's human sexuality instruction to be provided to the student; and

(2) The parent's right to remove the student from any part of the district's or school's human sexuality instruction.

(3) All curriculum materials used in the human sexuality instruction shall be available for public inspection pursuant to chapter 610 prior to the use of such materials in actual instruction.

(4) The school will not provide abortion services, or permit a person or entity to offer, sponsor, or furnish in any manner any course materials or instruction relating to human sexuality or sexually transmitted diseases to its students if such person or entity is a provider of abortion services.

## Policy 2.21: Textbooks

SECTION 1. The term "textbook" means workbooks, manuals, or other books, whether bound or in loose-leaf form, intended for use as a principal source of study material for a given class or group of students, a copy of which is expected to be available for the individual use of each pupil in such class or group.

SECTION 2. The school shall purchase and loan free all textbooks for all children who are enrolled in grades kindergarten through twelve, and may purchase textbooks and instructional materials for prekindergarten students.

SECTION 3. Only textbooks filed with the state board of education pursuant to section 170.061 shall be purchased and loaned under this section. No textbooks shall be purchased or loaned under this section to be used in any form of religious instruction or worship.

## **Policy 2.22: Grading and Reporting**

### SECTION 1. Grading.

SECTION 1.1. The Governing Board shall vest responsibility in the Executive Director for developing a grading scale which comports with the school's instructional philosophy, curriculum, and state mandates.

SECTION 1.2. Teachers shall use a variety of methods to assess student progress.

### SECTION 2. Reporting.

SECTION 2.1. A report card will go home every semester.

SECTION 2.2. The report card shall provide accurate reporting of student progress against academic and other standards based on qualitative and quantitative evidence collected on classroom work, projects, tests, quizzes, performance-based tasks, observations, and other evidence.

SECTION 2.3. Cumulative grades shall be transferred to students' individual permanent school record and report cards and permanent records shall be maintained in the student's files according to the adopted records retention schedule.

SECTION 2.4. Teachers are expected to maintain regular communications with parents by providing timely return of graded classwork and convening informative student conferences.

## Policy 2.23: School Admissions

SECTION 1. The School shall enroll only

- students that reside in the Kansas City Missouri Public Schools LEA or
- students eligible to attend under an urban voluntary transfer program or
- nonresident students who transfer from an unaccredited district under section 167.895, RSMo, provided that the charter school is an approved charter school, as defined in section 167.8951, and subject to all other provisions of section 167.895, and subject to all other provisions of section 167.895.
- Non-resident children of employees who reside in Missouri may enroll at AFIA.

This Charter School does not limit admission based on race, ethnicity, national origin, sexual orientation, disability, gender, income level, proficiency in the English language or athletic ability, but may limit admission to students within a given age group or grade level.

- Students will not be required to complete any test or measure in order to be admitted to School. Once students are formally enrolled, formal and informal assessments may be administered to determine the most appropriate instructional plan and placement for each student.

SECTION 2. If capacity of the School is insufficient to enroll all students who submit an application during the open enrollment period (established in March of each year), the School will use a lottery admissions process in order to assure all applicants an equal chance of gaining admission.

SECTION 2.1 Priority for enrollment will be given in the following order in accordance with the approved charter petition:

1. CURRENTLY ENROLLED STUDENTS
2. FACULTY AND STAFF CHILDREN: Children of full-time faculty and full-time staff.
3. SIBLINGS: Siblings of students currently enrolled on the date of the lottery.
4. OTHERS: All other eligible students

SECTION 3. Lottery.

SECTION 3.1. The lottery process shall be published in advance and articulated prior to commencement of the lottery.

SECTION 3.2 The lottery shall be observed and certified by a third-party individual.

SECTION 4. Wait List.

SECTION 4.1. Lottery positions and waiting list positions will not be secured from year to year. Those offered the opportunity to enroll from the waiting list will have at least three days to complete the enrollment process before the opening will be offered to the next student on the waiting list.

SECTION 4.2. It is the responsibility of the parent or guardian of the waitlisted student to provide updated contact information including a phone number and address, and an email if possible.

SECTION 4.3. Parents or guardians of wait listed students must also provide an emergency contact person in the event they cannot be reached regarding an opening. Failure to keep updated information throughout the school year resulting in an inability to notify the parent of an opening waives the student's placement on the waitlist.

SECTION 4.4. A school designee shall contact the next person on the waitlist if a slot becomes available. Contact may be made by phone, and if available, by email. Every effort will be made to reach the individual in person; however, if this is not possible, a message will be left on the phone and/or email.

SECTION 4.5. The parents will be given at least 72 hours to contact the School and make a decision to accept the opening. If contact or a decision is not made within this time frame, the next student on the waitlist is extended the offer.

## **Policy 2.24: Student Fee**

No fees shall be charged for enrollment, supplies, equipment or costs attributable to courses of study, which are offered for credit. Students shall be required to pay for materials, which are used in constructing projects or other items, which are to be removed from the school, and are thereby the property of the student.

Students may be charged fees or admission for participation in activities, which are voluntary, such as attendance at school athletic, or other co-curricular events. The fee schedule for such events shall be submitted to the Board for approval annually.

## **Policy 2.25: Student Records**

SECTION 1. The School will comply with the mandates of the Family Educational Rights and Privacy Act (FERPA) and the Safe Schools Act regarding confidentiality of student records and disclosure of personally identifiable information.

SECTION 2. The parents/guardians of students who are attending or have attended the School have the right to inspect and review the educational records of their students and to request amendment of their students' educational records due to errors and/or omission. The School has adopted procedures for the granting of parental requests for access to the educational records of their students within a reasonable period of time, but in no case more than forty-five (45) days after the request is made.

SECTION 3. All information contained in a student's educational record, except information designated as directory information by the School, shall be confidential and shall be directly accessible only to school officials who demonstrate a legitimate educational interest in the student's records and to parents/guardians or eligible students.

SECTION 4. Upon request by military recruiters or an institution of higher learning, the School will provide students' names, addresses and telephone listings. Parents will be notified annually of their right to individually request that such information not be released without prior parental consent. Military recruiters will be provided the same access to students as is given to institutions of higher learning.



## Policy 2.26: Volunteers and Chaperones

SECTION 1. The School encourages participation of parents and citizens of the community to volunteer in the school in order to serve as additional resources to the teachers and students. Prior to serving as a volunteer, each individual who may have unsupervised contact with a child must complete an application for the position, have a satisfactory criminal records check, and have a satisfactory check of the child abuse/neglect records maintained by the Missouri Department of Social Services.

SECTION 2. Chaperone Duties and Responsibilities.

SECTION 2.1. All students must ride in school provided transportation both to and from the field trip and during transport during a field trip to multiple locations. At no time will students ride in transportation not provided by the school unless prior approval by administration is granted in writing.

SECTION 2.2. School staff shall maintain a list of all chaperones and the students to which they are assigned. Chaperones are responsible specifically for supervision of these students; however, they also retain responsibility for general supervision and safety of all Academy for Integrated Arts' students.

SECTION 2.3. Adults observing behavior by students or other adults that is contrary to school policy or procedure shall immediately report the incident to a Academy for Integrated Arts' staff member or administration.

SECTION 2.4. School staff is responsible for taking roll of students prior to departure from any location, every time the group reconvenes, and periodically throughout the course of the trip to ensure all students are present. School staff may not delegate this responsibility to a chaperone or any other person.

SECTION 2.5. The use of cell phones and texting should be for emergency use only when acting in a supervisory capacity.

SECTION 2.6. Chaperones should be strategically located on buses and at venues to ensure that students are adequately supervised at all times.

SECTION 2.7. Chaperones may not bring siblings of their child who is attending the trip.

SECTION 2.8. Chaperones may not leave the group or venue at any time during the course of a field trip from departure from the school to arrival at the school after the trip. Chaperones and School staff are expected to participate in all activities planned as part of a field trip itinerary.

SECTION 2.9. Chaperones may not drink alcoholic beverages, utilize illegal substances, smoke or chew tobacco, or use profanity at any time during the course of a field trip from departure from the school to arrival at the school after the trip. Chaperones should refrain from socializing with other chaperones or School staff while supervising students.

SECTION 2.10. Chaperones should ensure that all students remain seated on the bus and monitor student behavior on the bus. Students are expected to be quiet while in heavy traffic, when exiting/entering the interstate, or when crossing a railroad track.

SECTION 2.11. Students should be escorted into and out of public bathrooms. At no time should any student, even a child of a chaperone, be left unattended in a bathroom.

SECTION 2.12. Students should never be left unattended by an adult.

SECTION 2.13. Students should remain with their specific chaperone unless authorized by an Academy for Integrated Arts staff member.

SECTION 2.14. Students who become ill during the course of a field trip should be brought to an Academy for Integrated Arts staff member. Parents of the student should be promptly contacted by the Academy for Integrated Arts staff member. The School staff member and chaperone will work collaboratively to ensure the child is properly attended.

SECTION 2.15. All procedures and rules specific to a field trip shall be strictly adhered to by all parents, students, and Academy for Integrated Arts staff.

## Policy 2.27: Parents and Student Complaints and Grievances

SECTION 1. Purpose and General Policy Provisions Related to Resolution of Concerns.

SECTION 1.1. Students and parents have the right and responsibility to express school related concerns and grievances to the faculty and administration. Students and parents shall be assured the opportunity for an orderly presentation and timely review of concerns

SECTION 2. Process. The faculty and administration shall make an honest and forthright effort to resolve grievances as quickly as possible at the most immediate level of authority.

SECTION 2.1. The levels of lowest levels of authority shall be as follows:

1. **Classroom related concerns** – teachers
  2. **School related concerns** (including policies, procedures, administration, unresolved classroom related concerns, etc.) – Principal or Executive Director
  3. **Appeals** – Governing Board Grievance Committee
- Decisions rendered by the Governing Board shall be considered final.

SECTION 2.2 Any teacher, staff member, or administrator shall have the authority to table any meeting considered to be unproductive, threatening, hostile, inappropriate, or lacking appropriate representation.

SECTION 3. All Appeals to the Governing Board Grievance Committee must be submitted in writing:

The Board of Directors will address unresolved complaints and grievances only after the concern has been addressed with teachers, Principal and Executive Director. Complaints must be made in writing and addressed to:

Board President  
Academy for Integrated Arts  
7910 Troost Avenue  
Kansas City, MO 64131

or  
Boardofdirectors@afiakc.org

## Policy 2.28: Technology Acceptable Use Policy

### SECTION 1. Internet Use and Safety.

The School recognizes that computers and the Internet have educational purpose when used properly. The School will take all measures necessary to provide individual users, both students and administrators, with the understanding and skills necessary to use the Internet appropriately in ways that meet educational needs and personal safety. However, there is always the risk that some students might encounter information on the Internet that could be of potential harm or inappropriate to the student. While the School will inform students on the appropriate use of email and Internet safety and will take all necessary measures to ensure students use computers and the Internet consistent with the terms of this policy, due to the uncontrollable nature inherent to the Internet, the School cannot guarantee the Internet and computer environment for its students. The School does comply with the Children's Internet Protection Act (CIPA) and uses available filtering software.

SECTION 1.1. The use of the Internet is a privilege, not a right, and inappropriate use will result in a cancellation of those privileges. The system administrators and teachers will deem what is inappropriate use and their decision is final. The school may deny, revoke, or suspend specific user access.

### SECTION 2. Staff Responsibilities for Use of Technology

- Develop and help students develop the skills needed to discriminate among information sources, to identify information appropriate to age and developmental levels, and to evaluate and use information to meet educational goals;
- Supervise and/or monitor all to whom one grants access to technology resources regarding implementation of this policy;
- Take an active role in ensuring that students and their parents are aware of the individual student's responsibility to use technology resources in an ethical and educational manner.
- Supervise student Internet and computer usage.

### SECTION 3. Student Responsibilities for Use of Technology

- Obtain parental permission before using any school computer on the Internet
- Never give out personal or family information such as phone numbers, credit card numbers, or home addresses.
- Never arrange for a face-to-face meeting with a stranger and never respond to abusive or suggestive messages. Report all such instances immediately to a teacher or member of the technology staff.
- Use appropriate language when using electronic email or other use of the computer. Do not swear, use vulgarities or any other inappropriate language.

### SECTION 4. Network User Responsibilities

- Use of the LEA's technology resources must be in support of education and research consistent with the educational objectives of the School.
- Comply with all rules and laws regarding access and copying of information as prescribed by Federal, State, or local law, and Internet providers.
- Be polite and appropriate. Adhere to all standards of courtesy, etiquette, and existing board policies as they may be interpreted to apply to technology resources.

- Help maintain security of LEA technology resources by following this policy and maintaining secrecy of all passwords. All known breaches of security must be reported to the School Leader or his/her designee.
- Be aware that network files and electronic mail are not guaranteed to be private. School technology personnel shall have access to all files.
- Do not permit others to use your account.

SECTION 5. Unacceptable Uses Include, but are not limited to:

- Providing unauthorized or inappropriate access to LEA technology resources.
- Any attempt to harm or destroy data of another user or other networks connected to the Internet.
- Activities involving the loss or unauthorized use of others' work.
- Distribution or use of obscene, abusive, or threatening material.  
including child pornography and any other material that is harmful to minors. Material that is harmful to minors is any picture, image, graphic image file, or other visual depiction that (a) taken as a whole and with respect to minors, appeals to the prurient interest in nudity, sex, or excretion; (b) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals, and (c) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
- Unauthorized use of school resources for commercial, illegal, or profit-making enterprises.
- Knowingly wasting technology resources.
- Physical abuse of the equipment.
- Using technology resources in ways that violate school policies and behavior standards.
- Degrading or disrupting equipment or system performance.
- Installing unauthorized software on school computers, or any violation of copyright established for computer software.
- Knowingly uploading or creating computer viruses.

SECTION 6. Internet Use Agreement

To support and respect each family's right to decide whether or not their child may have access to this resource, no child will be allowed to operate a computer to access the Internet unless all parties commit to responsibility by completing the School Internet Use Agreement. No child will be allowed to operate a computer to access the Internet without direct adult supervision.

SECTION 7. Transmission of any material in violation of any U.S. or state regulation is prohibited. This includes, but is not limited to; copyrighted material, threatening or obscene material, or material protected by trade secret. Use for product advertisement or political lobbying is also prohibited. Use for commercial activities is generally not acceptable.

## Policy 2.29: Drug Free Schools

SECTION 1. Pursuant to requirements of the 1989 amendments of the Drug-Free Schools and Communities Act and to the requirements of the Safe Schools Act, and for the purpose of preventing the use of illicit drugs and alcohol by students, the School shall provide age-appropriate, developmentally based drug and alcohol education and prevention programs to all students. (See also Policy 6130 - Drug Education.) Such programs will address the legal, social and health consequences of drug and alcohol use, and provide information about effective techniques for resisting peer pressure to use illicit drugs or alcohol.

SECTION 2. The School shall provide information about any drug and alcohol counseling and rehabilitation and re-entry programs that are available to students. Students may be required to participate in such programs in order to avoid suspension or expulsion if they are found to be in violation of this policy. All parents/guardians and students shall annually be provided with a copy of this policy.

SECTION 3. The School certifies that it has adopted and implemented the drug prevention program described in this policy in the form required by the Department of Elementary and Secondary Education or the United States Department of Education. The School conducts a biennial review of such program to determine its effectiveness, to implement necessary changes and to ensure that the disciplinary sanctions are consistently enforced.

## Policy 2.30: Truancy, Child Abuse, and Educational Neglect

SECTION 1. In accordance with 201.115 RSMo educators in Missouri have the duty to report suspected truancy, child abuse and educational neglect to the Missouri Children's Division.

Mandatory Reporters:

The following individuals are mandatory reporters:

1. Teacher
2. Principal
3. School Official
4. Any other person with responsibility for the care of children

SECTION 2. Reporting.

SECTION 2.1 All mandatory reporters have a duty to immediately report (or cause a report to be made of) suspected child abuse and neglect, including truancy and educational neglect to the School Leader, or his/her designee, who will then become responsible for making a report via to the Missouri Department of Social Services, Children's Division the Student Abuse Hotline to the Children's Division.

SECTION 2.2 Mandatory reporters who know or have reason to believe that a child has been or may be subject to abuse or neglect by any person shall also report such belief to their supervisor.

SECTION 2.3 An oral report shall be made immediately, but in no case later than 24 hours from the time there is reasonable cause to believe a child has been abused, by telephone or otherwise and followed by a report in writing, if requested, to a child welfare agency providing protective services, as designated by the Missouri Children's Division, or, in the absence of such agency, to an appropriate police authority or LEA attorney.

SECTION 2.2

In accordance with § 160.975 of Senate Bill 341 (2015):

1. The school shall post in a clearly visible location in a public area of the school that is readily accessible to students a sign in English and in Spanish that contains the toll-free child abuse and neglect hotline number established by the children's division under section 210.145. Additionally, the school shall post signs containing the same information in all student restrooms in the school, to allow for private access to the information by students of either gender.
2. The information contained on the signs required under subsection 1 of this section shall be presented on a poster at least 11 inches by 17 inches in size, contain large print, and be placed at eye level to the student for easy viewing. The hotline number shall be displayed in bold print. The signs shall contain instructions to call 911 for emergencies and directions for accessing the children's division website for more information on reporting abuse, neglect, and exploitation.

## Policy 2.31: Discipline

### SECTION 1. Purpose

SECTION 1.1. The School's discipline policy sets out the rules of student behavior applicable to all students and the procedures for imposing discipline on students who violate these rules. In general, discipline is designed to correct a student's misconduct and to encourage the student to be a responsible citizen of the school community. Disciplinary actions will be in proportion to the severity of the unacceptable behavior, its impact on the school environment, the student's age and grade level, the student's previous discipline history, and other relevant factors.

The disciplinary process may include due consideration of student support services that may be available through the school, the school system, other public entities, or community organizations. Where feasible, the School prefers to reassign disruptive students to alternative educational settings rather than to suspend or expel such students from school.

Parental notification and parental involvement are essential to any effort to modify a student's inappropriate behavior. The intent of this policy will only be effective if parents and guardians, teachers, and school administrators work together to improve student behavior and enhance academic performance.

The Board authorizes the immediate removal of a student upon a finding by a School Leader 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.

No student may be confined in an unattended locked space except in an emergency situation while awaiting the arrival of law enforcement personnel. For the purpose of this policy, a student is unattended if no person has visual contact with the student, and a locked space is a space that the student cannot reasonably exit without assistance.

### SECTION 2. Enforcement

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

Teachers have the authority and responsibility to make and enforce necessary rules for internal governance in the classroom, subject to review by the building School Leader. The Board expects each teacher to maintain a satisfactory standard of conduct in the classroom. All LEA staff is required to enforce LEA policies, regulations and procedures in a manner that is fair and developmentally appropriate and that considers the student and the individual circumstances involved.

All employees of the LEA shall annually receive instruction related to the specific contents of the LEA's discipline policy and any interpretations necessary to implement the provisions of the policy in the course of their duties including, but not limited to, approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.



### SECTION 3. Investigation Process

When a violation of school rules is reported or suspected, the School Leader or designee will determine whether an investigation is warranted and, if so, will instruct appropriate personnel to conduct an investigation. The investigation should include interviews with the alleged perpetrator(s), victim(s), identified witnesses, teacher(s), staff members, and others who might have relevant information. Written statements should be obtained from all individuals who are interviewed. Video surveillance, if available, should be reviewed and secured. Any other physical and documentary evidence should be collected and preserved. School counselors, school social workers, school police, and other support staff should be utilized for their expertise as determined by the circumstances of the matter. At an appropriate time during or after the investigation, the parent or guardian will be notified. However, if the incident involves an injury or similar situation, appropriate medical attention should be provided, and the parent or guardian should be notified immediately.

### SECTION 4. Definitions of Disciplinary Methods

#### 4.1. In-School Suspension

Defined as the removal of a student from regular classes and assignment to an in-school suspension setting in the school. The student's teachers send class assignments to in-school suspension. The student may not attend or participate in extracurricular activities while assigned to in-school suspension.

A teacher may request that a student who has been assigned to in-school suspension be allowed to attend his/her class (such as lab classes). The granting of this request is limited to cases where it is extremely important that a class not be missed or where a class cannot be made up at a later date. The School Leader has the final decision.

For minor offenses, in lieu of in-school suspension, and upon student or parent request, students may be given the option of school service (i.e., picking up trash on the school grounds, cleaning lunchroom tables, etc.), provided the school service is age-appropriate, supervised, and does not include restroom duties.

#### 4.2. Out-of-School Suspension

Defined as the removal of a student from school (or school bus) for one to ten school days. The School Leader may impose an out-of-school suspension of up to ten school days. Schoolwork missed during 1-3 day suspensions may be made up when the student returns to school. For suspensions of 4-10 school days, parents/guardians may request schoolwork and pick up the schoolwork during school hours.

Long-term suspension is defined as the removal of a student from school (or school bus) for more than ten school days but not beyond the current school semester. Only the Student Evidentiary Hearing Committee or the school's Governing Board may impose long-term suspension. The Student Evidentiary Hearing Committee shall consist of at least three AFIA staff members, including the Hearing Officer and two other committee members, such as teachers, the social worker or other staff members. The Executive Director serves as the Hearing Officer.

A student on long-term suspension who has not been referred to an alternative school may not receive homework, make up work, or take semester exams unless allowed to do so by the Student Evidentiary Hearing Committee or the school's Governing Board. A student on long-term

suspension is not allowed on school property and may not participate in any school activities or school functions.

In some cases (limited to one per student per academic year), the School Leader may temporarily postpone a student's suspension if the offense was committed at a critical time in the academic calendar (i.e., immediately before final exams). This does not apply to offenses that are violations of state or federal law or that involve weapons, violence, or drugs.

#### 4.3. Expulsion

Defined as the removal of a student from school (or school bus) for a specified period of time beyond the current semester. Only the Student Evidentiary Hearing Committee or the school's Governing Board may impose expulsion.

A student who has been expelled may not attend any school within the LEA but may apply for readmission after six months.

#### 4.4. Alternative School

A student who is removed from his/her local school for more than 10 school days may be allowed to attend an alternative school for instruction, academic support, and counseling. Alternative school enables a student to take academic classes that allow the student to keep up with the course credit requirements toward graduation. The student may not return to his/her school or any other school or attend any extracurricular activities while attending an alternative school pursuant to a long-term suspension or expulsion.

#### 4.5. Probation

"Probation" means that a student is placed on a trial period during which the student is expected to maintain good behavior. A student found guilty of certain offenses may be placed on probation by the School Leader, a local formal hearing officer, the Student Evidentiary Hearing Committee, the Disciplinary Action Review Committee, or the school's Governing Board. Violation of a local school or school system rule while on probation may result in further disciplinary action, including a possible referral to the Student Evidentiary Hearing Committee.

#### 4.6. Restrictions on School Activities

Students who are suspended or expelled will not be allowed to participate in any school-sponsored activities, [including the prom or graduation exercises] if these occur during the period of suspension or expulsion. A parent or guardian may, for good cause, petition the school leader for permission for the student to participate in school-sponsored activities. If denied permission by the School Leader, the parent or guardian may appeal to the school's Governing Board. The Board's decision shall be final.

### SECTION 5. Offenses and Consequences

#### 5.1. Reporting to Law Enforcement

It is the policy of the School to report all crimes occurring on school grounds to law enforcement, including, but not limited to, the crimes the LEA is required to report in accordance with law.

The following acts, regardless of whether they are committed by juveniles, are subject to this reporting requirement:

1. First- or second-degree murder under §§ 565.020, .021, RSMo.
2. Voluntary or involuntary manslaughter under § 565.023, .024, RSMo.
3. Kidnapping under § 565.110, RSMo.
4. First, second- or third-degree assault under §§ 565.050, .060, .070, RSMo.
5. Sexual assault or deviate sexual assault under §§ 566.040, .070, RSMo.
6. Forcible rape or sodomy under §§ 566.030, .060, RSMo.
7. Burglary in the first or second degree under §§ 569.160, .170, RSMo.
8. Robbery in the first degree under § 569.020, RSMo.
9. Possession of a weapon under chapter 571, RSMo.
10. Distribution of drugs under §§ 195.211, .212, RSMo.
11. Arson in the first degree under § 569.040, RSMo.
12. Felonious restraint under § 565.120, RSMo.
13. Property damage in the first degree under § 569.100, RSMo.
14. Child molestation in the first degree pursuant to § 566.067, RSMo.
15. Sexual misconduct involving a child pursuant to § 566.083, RSMo.
16. Sexual abuse pursuant to § 566.100, RSMo.
17. Harassment under § 565.090, RSMo.
18. Stalking under § 565.225, RSMo.

The School Leader shall also notify the appropriate law enforcement agency if a student is discovered to possess a controlled substance or weapon in violation of the LEA's policy.

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

#### 5.2. Documentation in Student's Discipline Record

The School Leader, designee or other administrators or school staff will maintain all discipline records as deemed necessary for the orderly operation of the schools. In addition, any of the following offenses a serious violation of the school's policy and must be documented in the student's discipline record in accordance with law:

1. Any act of school violence or violent behavior.
2. Any offense that occurs on school property, on school transportation or at any school activity and that is required by law to be reported to law enforcement officials.
3. Any offense that results in an out-of-school suspension for more than ten school days.

#### 5.3. Prohibition against Being on or near School Property during Suspension

All students who are suspended or expelled are prohibited from being on school property for any reason unless permission is granted by the School Leader or his/her designee. Any student who is suspended for any offenses listed in § 160.261, RSMo., or any act of violence or drug-related activity shall not be allowed to be within 1,000 feet of any public school in the LEA unless one of the following conditions exist:

1. The student under the direct supervision of the student's parent, legal guardian or custodian.
2. The student is under the direct supervision of another adult designated by the student's parent, legal guardian or custodian, in advance, in writing, to the School Leader of the school that suspended the student.
3. The student is in an alternative school that is located within 1,000 feet of a public school in the LEA.

4. The student resides within 1,000 feet of a public school in the LEA and is on the property of his or her residence.

If a student violates this prohibition he or she may be subject to additional discipline, including suspension or expulsion, in accordance with the offense, "Failure to Meet Conditions of Suspension," listed below.

#### 5.4. Prohibited Conduct

The following are descriptions of prohibited conduct as well as potential consequences for violation. In addition to the consequences specified here, school officials will notify law enforcement and document violations in the student's discipline file pursuant to law and Board policy.

Arson – Starting or attempting to start a fire or causing or attempting to cause an explosion.

First Offense:	School Leader/Student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion. Restitution if appropriate.
Subsequent Offense:	1-180 days out-of-school suspension or expulsion. Restitution if appropriate.

#### Assault

1. Hitting, striking and/or attempting to cause injury to another person; placing a person in reasonable apprehension of imminent physical injury; physically injuring another person.

First Offense:	School Leader/Student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.
Subsequent Offense:	In-school suspension, 1-180 days out-of-school suspension, or expulsion.

2. Attempting to kill or cause serious physical injury to another; killing or causing serious physical injury to another.

First Offense:	Expulsion.
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Automobile/Vehicle Misuse – Discourteous or unsafe driving on or around school property, unregistered parking, failure to move vehicle at the request of school officials, failure to follow directions given by school officials or failure to follow established rules for parking or driving on school property.

First Offense:	School Leader/Student conference, suspension, detention, in-school suspension, or 1-10 days out-of-school suspension.
Subsequent Offense:	Revocation of parking privileges, detention, in-school suspension, or 1-180 days out-of-school suspension.

Bullying – Intimidation, harassment and attacks on a student or multiple students, perpetuated by individuals or groups. Bullying includes, but is not limited to: physical violence, verbal taunts, name-calling and put-downs, threats, extortion or theft, damaging property, cyber-bullying, and exclusion from a peer group.

First Offense:	School Leader/Student conference, detention, in-school suspension, or 1-180 days out-of-school suspension or expulsion.
Subsequent Offense:	1-180 days out-of-school suspension or expulsion.

Bus or Transportation Misconduct– Any offense committed by a student on, while waiting for, or entering transportation provided by or through the school shall be punished in the same manner as if the offense had been committed at the student's assigned school. In addition, transportation privileges may be suspended or revoked.

Dishonesty – Any act of lying, whether verbal or written, including forgery.

First Offense:	Nullification of forged document. School Leader/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.
Subsequent Offense:	Nullification of forged document. Detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

Disrespect to Staff– Willful or continued willful disobedience of a directive or request by a LEA staff member or disrespectful verbal, written, pictorial, or symbolic language or gesture that is directed at a LEA staff member and that is rude, vulgar, defiant, in violation of LEA policy or considered inappropriate in educational settings.

First Offense:	School Leader/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.
Subsequent Offense:	Detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

Disruptive Conduct or Speech – Verbal, written, pictorial or symbolic language or gesture that is directed at any person and that is disrespectful, rude, vulgar, defiant, in violation of LEA policy or considered inappropriate in educational settings or that materially and substantially disrupts classroom work, school activities or school functions. Students will not be disciplined for speech in situations where it is protected by law.

First Offense:	School Leader/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.
Subsequent Offense:	Detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

## Drugs/Alcohol

1. Possession, sale, purchase or distribution of any over-the-counter drug, herbal preparation or imitation drug or herbal preparation.

First Offense:	School Leader/Student conference, in-school suspension or 1-180 days out-of-school suspension.
Subsequent Offense:	1-180 days out-of-school suspension or expulsion.

2. Possession, use of, or attendance while under the influence of or soon after consuming any unauthorized prescription drug, alcohol, narcotic substance, unauthorized inhalants, controlled substances, illegal drugs, counterfeit drugs, imitation controlled substances or drug-related paraphernalia.

First Offense:	School Leader/Student conference, in-school suspension, 1-180 days out-of-school suspension.
Subsequent Offense:	1-180 days out-of-school suspension or expulsion.

3. Sale, purchase, transfer or distribution of any prescription drug, alcohol, narcotic substance, unauthorized inhalants, controlled substances, illegal drugs, counterfeit drugs, imitation controlled substances or drug-related paraphernalia.

First Offense:	Expulsion.
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Extortion – Threatening or intimidating any person for the purpose of obtaining money or anything of value.

First Offense:	School Leader/Student conference, detention, in-school suspension, or 1-10 days out-of-school suspension.
Subsequent Offense:	In-school suspension, 1-180 days out-of-school suspension, or expulsion.

Failure to Meet Conditions of Suspension – Coming within 1,000 feet of any public school in the LEA while on suspension for an offense that requires reporting to law enforcement or for an act of school violence or drug-related activity. See section of this regulation entitled, "Prohibition against Being on or near School Property during Suspension."

In determining whether to suspend or expel a student, consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether the student's presence within 1,000 feet of the school is disruptive to the educational process or undermines the effectiveness of the school's disciplinary policy.

First Offense:	Verbal warning, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.
Subsequent Offense:	Verbal warning, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

False Alarms (see also "Threats or Verbal Assaults") – Tampering with emergency equipment, setting off false alarms, making false reports; communicating a threat or false report for the purpose of frightening, disturbing, disrupting or causing the evacuation or closure of school property.

First Offense:	Restitution. School Leader/Student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.
Subsequent Offense:	Restitution. In-school suspension, 1-180 days out-of-school suspension, or expulsion.

Fighting (see also, "Assault") – Mutual combat in which both parties have contributed to the conflict either verbally or by physical action.

First Offense:	School Leader/Student conference, detention, in-school suspension, or 1-180 days out-of-school suspension.
Subsequent Offense:	In-school suspension, 1-180 days out-of-school suspension, or expulsion.

Harassment/Discrimination– Use of verbal, written or symbolic language based on race, color, religion, sex, national origin, ancestry, disability, age or any other characteristic that has the purpose or effect of unreasonably interfering with a student’s educational environment or creates an intimidating, hostile or offensive educational environment. Examples of illegal harassment include, but are not limited to, graffiti, display of written material or pictures, name calling, slurs, jokes, gestures, threatening, intimidating or hostile acts, theft or damage to property.

First Offense:	School Leader/Student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.
Subsequent Offense:	In-school suspension, 1-180 days out-of-school suspension, or expulsion.

Hazing – Any activity that a reasonable person believes would negatively impact the mental or physical health or safety of a student or put the student in a ridiculous, humiliating, stressful or disconcerting position for the purposes of initiation, affiliation, admission, membership or maintenance of membership in any group, class, organization, club or athletic team including, but not limited to, a grade level, student organization or school-sponsored activity. Hazing may occur even when all students involved are willing participants.

First Offense:	School Leader/Student conference, in-school suspension, 1-180 days out-of-school suspension, or expulsion.
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Subsequent Offense: 1-180 days out-of-school suspension or expulsion.

Public Display of Affection – Physical contact that is inappropriate for the school setting including, but not limited to, kissing and groping.

First Offense: School Leader/Student conference, detention, in-school suspension, or 1-180 days out-of-school suspension.

Subsequent Offense: Detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

#### Sexual Harassment/Discrimination

1. Use of unwelcome verbal, written or symbolic language based on gender or of a sexual nature that has the purpose or effect of unreasonably interfering with a student's educational environment or creates an intimidating, hostile or offensive educational environment. Examples of sexual harassment include, but are not limited to, sexual jokes or comments, requests for sexual favors and other unwelcome sexual advances.

First Offense: School Leader/Student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

Subsequent Offense: In-school suspension, 1-180 days out-of-school suspension, or expulsion.

2. Unwelcome physical contact based on gender or of a sexual nature when such conduct has the purpose or effect of unreasonably interfering with a student's educational performance or creates an intimidating, hostile or offensive educational environment. Examples include, but are not limited to, touching or fondling of the genital areas, breasts or undergarments, regardless of whether or not the touching occurred through or under clothing.

First Offense: School Leader/Student conference, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

Subsequent Offense: 1-180 days out-of-school suspension or expulsion.

Sexual Misconduct – Exposing of body parts to another individual including, but not limited to, possession, transfer or exposure of images, electronic or otherwise, of the body parts or sexually explicit images of oneself or others, and/or initiating or participating in an act of a sexual nature.

First Offense: School Leader/Student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

Subsequent Offense: In-school suspension, 1-180 days out-of-school suspension, or expulsion.



## Technology Misconduct

1. Unauthorized use of cellular telephones, personal computers, or unauthorized use of electronic devices during instructional time.

First Offense:	Teacher/Student conference, temporary confiscation of device, and/or detention.
Subsequent Offense:	Teacher/Student conference, School Leader/student conference, temporary confiscation of device, detention, or 1-180 days out-of-school suspension.

2. Attempting, regardless of success, to gain unauthorized access to technology system or information; to use LEA technology to connect to other systems in evasion of the physical limitations of the remote system; to copy LEA files without authorization; to interfere with the ability of others to utilize LEA technology; to secure a higher level of privilege without authorization; to introduce computer "viruses," "hacking" tools, or other disruptive/destructive programs onto or using LEA technology; or to evade or disable a filtering/blocking device.

First Offense:	Restitution. School Leader/Student conference, loss of user privileges, detention, in-school suspension, or 1-180 days out-of-school suspension.
Subsequent Offense:	Restitution. Loss of user privileges, 1-180 days out-of-school suspension, or expulsion.

3. Violation other than those listed in (2) or of Board policy EHB and regulation EHB-R, administrative procedures or netiquette rules governing student use of LEA technology.

First Offense:	Restitution. School Leader/Student conference, detention, in-school suspension, or 1-180 days out-of-school suspension.
Subsequent Offense:	Restitution. Loss of user privileges, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

## Theft

Theft, attempted theft or knowing possession of stolen property.

First Offense:	Return of or restitution for property. School Leader/Student conference, detention, in-school suspension, or 1-180 days out-of-school suspension.
Subsequent Offense:	Return of or restitution for property. 1-180 days out-of-school suspension or expulsion.

## Threats or Verbal Assault

Verbal, written, pictorial or symbolic language and/or gestures creating a reasonable fear of physical injury or causing school property damage. Threats by students, whether made on campus or off school grounds, which constitute a "true threat" against the LEA, its students or employees, will be immediately reported to law enforcement officials and will subject the student to suspension and a

possible referral for expulsion. The definition of “true threat” shall be construed in accordance with applicable law and encompasses those statements that a reasonable recipient would view as a serious threat of violence or death.

First Offense:	School Leader/Student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.
Subsequent Offense:	In-school suspension, 1-180 days out-of-school suspension, or expulsion.

#### Tobacco

Defined as possession and/or use of any tobacco products on school grounds, school-transportation or at any school-activity.

First Offense:	Confiscation of tobacco product. School Leader/Student conference, detention, or in-school suspension.
Subsequent Offense:	Confiscation of tobacco product. Detention, in-school suspension, or 1-10 day out-of-school suspension.

#### Truancy

Defined as absence from school without the knowledge and consent of parents/guardians and/or the school administration; excessive non-justifiable absences, even with the consent of parents/guardians.

First Offense:	School Leader/Student conference, detention, or 1-3 days in-school suspension.
Subsequent Offense:	Detention or 3-10 days in-school suspension.

#### Unauthorized Entry

Entering or assisting any other person to enter a LEA facility, office, locker, or other area that is locked or not open to the general public; entering or assisting any other person to enter a LEA facility through an unauthorized entrance; assisting unauthorized persons to enter a LEA facility through any entrance.

First Offense:	School Leader/Student conference, detention, in-school suspension, or 1-180 days out-of-school suspension.
Subsequent Offense:	1-180 days out-of-school suspension or expulsion.

#### Vandalism

Defined as the willful damaging or the attempt to cause damage to real or personal property belonging to the school, staff or students.

First Offense:	Restitution. School Leader/Student conference, detention, in-school suspension, 1-180 days out-of-school suspension, or expulsion.
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Subsequent Restitution. In-school suspension, 1-180 days out-of-school suspension, or  
Offense: expulsion.

#### Weapons

1. Defined as the possession or use of any instrument or device, other than those defined in 18 U.S.C. § 921, 18 U.S.C. § 930(g)(2) or § 571.010, RSMo, which is customarily used for attack or defense against another person; any instrument or device used to inflict physical injury to another person.

First Offense: School Leader/Student conference, in-school suspension, 1-180 days out-of-school suspension, or expulsion.

Subsequent 1-180 days out-of-school suspension or expulsion.  
Offense:

2. Possession or use of a firearm as defined in 18 U.S.C. § 921 or any instrument or device defined in § 571.010, RSMo., or any instrument or device defined as a dangerous weapon in 18 U.S.C. § 930(g)(2)

First Offense: One calendar year suspension or expulsion, unless modified by the Board upon recommendation by the superintendent.

Subsequent Expulsion.  
Offense:

## Policy 2.32: Threats of Violence

### SECTION 1. Policy.

It is the policy of the Governing Board to take all reasonable steps to provide a safe environment for students and staff. To that end, any threat by any individual directed toward another which if carried out would pose a potential danger to the life and safety of students and/or staff should be regarded and treated seriously.

### SECTION 2. Responsibility for Reporting

SECTION 2.1. Any student who receives information concerning such a threat should immediately report that information to a teacher, counselor, or school administrator. The failure of a student to report such information may be treated as a disciplinary problem.

SECTION 2.2. Any employee who receives information concerning such a threat should take appropriate action to respond to the threat including taking steps to separate the student perceived to be a threat from the potentially threatening situation and/or reporting the information to the Administrator(s). If the staff member believes the situation is so serious as to warrant the notifying of outside authorities, the employee must notify the Administrator(s) so that the Administrator(s) can be responsible for taking such steps.

### SECTION 3. Administrative Action.

SECTION 3.1. The Executive Director or Principal should take immediate steps to investigate and determine the factual circumstances of the threat and then determine the appropriate action to respond to it. Such action may include disciplining the student(s) involved as appropriate under school rules, contacting the parents of the student(s) involved, contacting appropriate law enforcement or other officials.

SECTION 3.2. Whenever the responsible Administrator(s) feels that it is necessary to contact outside officials to respond to a threat appropriately, the Executive Director should also contact the Governing Board.

## **Policy 2.33: Weapons at School**

SECTION 1. The presence of firearms and weapons poses a substantial risk of serious harm to School students, staff and community members. and is a violation of state law. Therefore, possession of firearms and weapons is prohibited on school premises at all times except for law enforcement officials.

SECTION 2. Student participation in school sanctioned gun safety courses, student military or ROTC courses, or other school sponsored firearm related events does not constitute a violation of this policy, provided the student does not carry a firearm or other weapon into any school, school bus, or onto the premises of any other activity sponsored or sanctioned by school officials. In addition, persons passing through school LEA property for purposes of dropping off or picking up a student do not violate this policy if they possess a lawful permitted weapon in the vehicle during this time.

## Policy 2.34: Student Safety

In addition and pursuant to the Every Student Succeeds Act of 2015, student victims of a violent criminal offense that was committed on school premises may transfer to another school. To insure awareness of this policy, the parents of student victims will be notified in writing of their right to a school transfer.

For purposes of this policy, a victim is a student who has suffered personal injury or injuries to his or her property as a direct result of a violent criminal offense. This definition does not include bystanders or witnesses to the act unless they suffered personal or property injury as a direct result of a violent criminal offense while on school premises.

The School will notify the Department of Elementary and Secondary Education (DESE) of all violent criminal offenses committed on school premises when the victim is a student or employee.

## Policy 2.35: Seclusion, Restraint and Corporal Punishment

Section 160.405.4(2), RSMo, requires charter schools to comply with laws and regulations of the state relating to health and safety. Section 160.263, RSMo, is a law relating to health and safety of students and is therefore required to be followed by charter schools. Section 160.263.2 relates to the health and safety of students requiring a policy addressing restrictive behavioral interventions that must be consistent with generally accepted principles that include health and safety standards.

### SECTION 1. General Policy Provisions

SECTION 1.1. The use of chemical restraint, mechanical restraint, or prone restraint is prohibited in the School.

SECTION 1.2 The use of seclusion is prohibited within the School.

SECTION 1.2.1 Seclusion does not include “time-out,” defined as a behavioral intervention in which the student is temporarily removed from the learning activity but in which the student is not confined.

SECTION 1.2.2. Seclusion does not include in-school suspension, detention, or a student-requested break in a different location in the classroom or in a separate unlocked room.

### SECTION 2. Physical Restraint

Physical restraint may be utilized only when the student is an immediate danger to himself or others and the student is not responsive to less intensive behavioral interventions including verbal directives or other de-escalation techniques.

SECTION 2.1. Physical restraint does not include: providing limited physical contact and/or redirection to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing guidance to a location, or providing comfort.

SECTION 2.2. Physical restraint shall not be used (1) as a form of discipline or punishment (2) when the student cannot be safely restrained; or (3) when the use of the intervention would be contraindicated due to the student’s psychiatric, medical, or physical conditions as described in the student’s educational records.

SECTION 2.3 All physical restraint must be immediately terminated when the student is no longer an immediate danger to himself or others or if the student is observed to be in severe distress.

SECTION 2.4. Before any staff member may implement physical restraint, he or she should have completed an approved training program.

SECTION 2.4.1 Approved training programs must address a full continuum of positive behavioral intervention strategies as well as prevention and de-escalation techniques and restraint.

SECTION 2.4.2 Schools and programs shall maintain written or electronic documentation on training provided and the list of participants in each of the provided trainings. Copies of such documentation will be made available to the Missouri Department of Education or any member of the public upon request.

SECTION 2.5. If a staff member who has not completed an approved training program has to physically restrain a student to prevent injury to a student or others in an emergency situation when staff members trained in physical restraint are not available, he or she should ask other students, if present, to request assistance immediately.

SECTION 2.6. Whenever possible, the use of physical restraint on a student shall be monitored by another staff member or administrator. The use of physical restraint shall be documented by staff or faculty participating in or supervising the restraint for each student in each instance in which the student is restrained.

SECTION 2.7. Whenever physical restraint is used on a student the school or program where the restraint is administered shall notify the student's parent or legal guardian within one school day after the use of restraint.

SECTION 3. This policy does not prohibit a staff member from utilizing time-out, as defined above, or any other classroom management technique or approach, including a student's removal from the classroom that is not specifically addressed in this rule.

SECTION 4. This policy does not prohibit a staff member from taking appropriate action to diffuse a student fight or altercation.

SECTION 5. The decision whether or not the use of physical restraint is necessary to protect students or others from imminent harm or bodily injury, and taking the actions deemed necessary to protect students or others from imminent harm or bodily injury, are actions that involve the performance of discretionary, not ministerial, duties.

SECTION 6. In some instances in which a student is an immediate danger to himself or herself or others, the school or program must determine when it becomes necessary to seek assistance from law enforcement and/or emergency medical personnel. Nothing in this policy shall be construed to interfere with the duties of law enforcement or emergency medical personnel.

SECTION 7. School officials must notify a student's parent or guardian immediately when emergency medical or law enforcement personnel remove a student from a school or program setting.

## SECTION 8. CORPORAL PUNISHMENT

SECTION 8.1. For the purposes of this policy, corporal punishment is a form of physical punishment administered by an adult to the body of a child for the purpose of discipline or reformation, or to deter attitudes or behaviors deemed unacceptable. No person employed by or volunteering on behalf of the School shall administer corporal punishment or cause corporal punishment to be administered upon a student attending LEA schools.

SECTION 8.2. A staff member may, however, use reasonable physical force against a student for the protection of the student or other persons or to protect property. Restraint of students in accordance with the School's policy on student seclusion, isolation and restraint is not a violation of this policy.



## Policy 2.36: Services for Students with Disabilities

The School does not have a general curriculum for students with disabilities. Instead, it is the policy of the School to develop an individualized educational program (IEP) for each public school student with a disability who needs special educational services pursuant to the Individuals with Disabilities Education Act (IDEA) and an accommodation plan for students who are qualified only pursuant to Section 504 of the Rehabilitation Act. Each IEP is designed to meet the unique needs of the student and to offer a free appropriate public education. In addition, the School's IEPs will address the extent to which each student's disability affects his/her ability to access the School's general curriculum and what modifications, accommodations, and supplementary aids and services, if appropriate, are necessary to provide for such access. Each public school student with a disability will be educated to the maximum extent appropriate with children who are non-disabled. However, students with disabilities may be assigned to special classes, separate schooling or removed from the regular educational environment when the nature or severity of the student's disability is such that education in the regular educational environment with the use of supplementary aids and services cannot be achieved satisfactorily.

The School will provide special education and/or other services to students with disabilities in accordance with applicable law, including the IDEA, and its amendments, Section 504 of Rehabilitation Act of 1973, 162.670-.995, RSMo., and Missouri's State Plan for Part B.

If a student has had his/her curriculum substantially altered or modified pursuant to an IEP, 504 Plan, and/or in connection with a plan of homebound instruction so that the academic requirements (including but not limited to the requirements for achieving a specific letter or numerical grade) for one or more courses have been significantly reduced as compared to the regular course or courses, the IEP team or 504 team (or in the case of a student receiving homebound instruction who is not covered by an IEP or 504 Plan), the School Leader, Academic Dean, and classroom teacher(s) for such course(s) shall determine whether the student shall be included in the computation of class rank. Students who are not included in the class ranking shall still receive a cumulative grade point average (G.P.A.) and shall be eligible for the honor roll.

## **Policy 2.37: Instruction for Students with Disabilities**

It is the policy of the School to provide a free appropriate public education to all public school students with disabilities. Students with disabilities are defined as those students who have one of the categorical disabilities as enumerated in the Missouri State Plan for Part B of the Individuals with Disabilities Education Act (IDEA) and who also require special education services or who have a mental or physical impairment that substantially limits one or more major life activities as defined by Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act and who require accommodations or special education and related services.

The School will provide special education and/or other services to students with disabilities in accordance with applicable law, including the IDEA, and its amendments, Section 504 of Rehabilitation Act of 1973, §162.670-.995, RSMo., and Missouri's State Plan for Part B.

## **Policy 2.38: Instruction for At-Risk Students**

The School shall meet all federal and state requirements for identifying and providing services to educationally at-risk students.

At-risk students are those whose educational outcomes are in jeopardy because they are experiencing academic deficits, have become disaffected with school and learning, or impacted by other factors which impede education and social development.

## Policy 2.39: Active Shooter Training and Drills

### SECTION 1. TEACHER AND EMPLOYEE TRAINING

At the discretion of school administration, the school may include in its teacher and school employee training a component on how to properly respond to students who provide them with information about a threatening situation and how to address situations in which there is a potentially dangerous or armed intruder in the school. Training may also include information and techniques on how to address situations where an active shooter is present in the school or on school property.

The administration may conduct the training on an annual basis. If no formal training has previously occurred, the length of the training may be eight hours. The length of annual continuing training may be four hours.

### SECTION 2. SIMULATED ACTIVE SHOOTER AND INTRUDER RESPONSE

All school personnel shall participate in a simulated active shooter and intruder response drill conducted and led by law enforcement professionals. Each drill may include an explanation of its purpose and a safety briefing. The training shall require each participant to know and understand how to respond in the event of an actual emergency on school property or at a school event. The drill may include:

- (1) Allowing school personnel to respond to the simulated emergency in whatever way they have been trained or informed; and
- (2) Allowing school personnel to attempt to implement new methods of responding to the simulated emergency based upon previously used unsuccessful methods of response.

All instructors for the program shall be certified by the department of public safety's peace officers standards training commission.

SECTION 3. The school shall foster an environment in which students feel comfortable sharing information they have regarding a potentially threatening or dangerous situation with a responsible adult.

## Policy 2.40: English Language Learners (ELL) Policy

DESE and LEAs share an obligation to ensure that their English Language Learner (ELL) programs and activities comply with the civil rights laws and applicable grant requirements. Title VI prohibits recipients of Federal financial assistance, including DESE and LEAs, from discriminating on the basis of race, color, or national origin. Title VI's prohibition on national origin discrimination requires DESE and LEAs to take "affirmative steps" to address language barriers so that ELL students may participate meaningfully in schools' educational programs.

### **Definitions:**

The term "**Limited English Proficient**," (LEP) when used with respect to an individual, means an individual —

- (A) who is aged 3 through 21;
- (B) who is enrolled or preparing to enroll in an elementary school or secondary school;
- (C)
  - (i) who was not born in the United States or whose native language is a language other than English;
  - (ii) (I) who is a Native American or Alaska Native, or a native resident of the outlying areas; and
  - (II) who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or
  - (iii) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and
- (D) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual —
  - (i) the ability to meet the State's proficient level of achievement on State assessments described in section 1111(b)(3);
  - (ii) the ability to successfully achieve in classrooms where the language of instruction is English; or
  - (iii) the opportunity to participate fully in society.

"**English for Speakers of Other Languages**" (ESOL) are programs that teach language skills to students from non-English-speaking backgrounds.

"**English Language Learners**" (ELLs) are speakers of other languages who are in the process of learning English. This abbreviation may be used to indicate LEP students.

A "**migratory**" child is defined as a child who is, or whose parent or spouse is, a migratory agricultural worker (including migratory dairy workers and migratory fishers). In order to obtain temporary or seasonal employment in agricultural or fishing work during the preceding 36 months (or to accompany a parent or spouse for such a purpose), a migratory child is someone:

- (1) who has moved from one school district to another
- (2) who has moved from one administrative area to another in a state that is comprised of a single school district
- (3) who resides in a school district of more than 15,000 square miles and who migrates a distance of 20 miles or more to a temporary residence in order to engage in fishing activities.

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The LEA's coordinator for ELL programs will be appointed by the Executive Director and approved annually by the Board of Directors.

The Board directs the ELL coordinator to develop and implement language instruction programs that:

- (1) Identify English Language Learner (ELL) students through the use of a home language survey OR by including home language questions on the school enrollment form. The same assessment methods must be used on all students. If using an enrollment form, the questions should include at least the following:

*Do you use a language other than English?*

*Is a language other than English used at home?*

The ELL coordinator will develop procedures to ensure that all new and currently enrolled students complete the home language survey or an annual enrollment form, as applicable.

- (2) Assess for English proficiency any student who indicates the use of a language other than English, using a DESE-approved assessment instrument.
- (3) Determine the appropriate instructional environment for ELL students.

*LEAs are responsible for providing an English language instruction educational program that increases the English proficiency and academic performance of all ELL students. The curriculum used must be tied to scientifically based research on teaching ELL students and must have demonstrated effectiveness.*

- (4) Annually assess the English proficiency of ELL students and monitor the progress of students receiving English for Speakers of Other Languages (ESOL) or bilingual instruction in order to determine their readiness for classrooms not tailored to ELL students.
- (5) Provide parents with notice of and information regarding the English language instruction educational program as required by law. To the extent practicable, the notice and information should be in a language that the parent can understand. Parental involvement will be encouraged and parents will be regularly apprised of their child's progress.

## Policy 2.41: Program for Homeless Students Policy

Academy for Integrated Arts recognizes that homelessness alone should not be a sufficient reason to separate students from the mainstream school environment. Therefore, Academy for Integrated Arts, in accordance with state and federal law (Title VII-B of the McKinney-Vento Homeless Assistance Act, as amended by the Every Student Succeeds Act) and the Missouri State Plan for Homeless Children and Youth, will give special attention to ensure that homeless children in the LEA have access to free, appropriate public education.

Definitions:

A “homeless child” or “homeless youth” is one who:

- A. lacks a fixed, regular, and adequate nighttime residence; and
- B. includes--
  - i. children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals;
  - ii. children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
  - iii. children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;
  - iv. migratory children or youths who qualify as homeless because they are living in circumstances described in subdivisions (i) to (iii) above.

The first category may include some individuals who have moved in with others. Consideration of each individual case, along with the permanency of the situation, will be needed in order to identify those who are homeless.

The terms “enroll” and “enrollment” include attending classes and participating fully in school activities.

The “school of origin” is the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

Enrollment and Placement:

Homeless children and youth frequently move, and maintaining a stable school environment is critical to their success in school. To ensure this stability, LEAs must make school placement determinations on the basis of the “best interest” of the homeless child or youth. Using this standard, Academy for Integrated Arts must –

- (a) Continue the child’s or youth’s education in the school of origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year; or for the remainder of the academic year if the child or youth becomes permanently housed during an academic year; or
- (b) Enroll the child or youth in any public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

In determining what is a child or youth’s best interest, Academy for Integrated Arts must, to the

extent feasible, keep a homeless child or youth in the school of origin, unless doing so is contrary to the wishes of the child or youth's parent or guardian. If Academy for Integrated Arts wishes to send a homeless child or youth to a school other than the school of origin or a school requested by the parent or guardian, Academy for Integrated Arts must provide a written explanation of its decision to the parent or guardian, together with a statement regarding the right to appeal the placement decision.

Enrollment requirements which may constitute a barrier to the education of a homeless child or youth may be waived if allowed by law. Academy for Integrated Arts may, however, require contact information.

If Academy for Integrated Arts is unable to determine the grade level of the student because of missing or incomplete records, Academy for Integrated Arts shall administer tests or utilize other reasonable means to determine the appropriate grade level for the child/youth.

#### Transportation:

Transportation must be provided, at the request of the parent or guardian (or in the case of the unaccompanied youth, the homeless coordinator) to and from the school of origin.

- If the homeless child or youth continues to live in the area served by the LEA in which the school of origin is located, that LEA must provide or arrange for the child's or youth's transportation to or from the school of origin.
- If the homeless child or youth continues his or her education in the school of origin but begins living in an area served by another LEA, the LEA of origin and the LEA in which the homeless child or youth is living must agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the LEAs cannot agree upon a method, the responsibility and costs for transportation are to be shared equally.
- The transportation requirement applies even if the LEA does not provide transportation to non-homeless students.

#### Services:

Each homeless child or youth shall be provided services comparable to services offered to other students in the LEA including, but not limited to, transportation services, educational services for which the child meets the eligibility criteria, such as educational programs for children with disabilities, English learners, programs in career and technical education, programs for gifted and talented students, before-and-after school programs, school nutrition programs, and transportation.

Homeless students will not be segregated in a separate school or in a separate program within a school based on the students' status as homeless.

In the event that it is in the best interest of the homeless child or youth to attend the school of origin, it shall be the responsibility of this LEA to provide for the transportation of the student. This may be achieved through the transportation services of this LEA, the school of origin, or another outside agency.

#### Records:

Once LEA officials have determined that an enrolling student is homeless, the LEA's homeless coordinator must assist the student in obtaining his/her education, immunization, medical, and other



records. According to McKinney-Vento, the student must be enrolled in the interim.

#### *Immunization:*

If the homeless coordinator is unable to obtain prior immunization records within thirty (30) days of enrolling and the student is still eligible for services under the homeless education program; the student must begin the immunization series and demonstrate that satisfactory progress has been accomplished within (90) days. If the homeless student maintains that he/she is exempted from receiving immunizations, then after thirty (30) days the student must provide documentation in accordance with the exemption requirements provided for in §section167.181.3, RSMo.

Any records ordinarily kept by the school, including immunization records, academic records, birth certificates, guardianship records, and evaluation for special services or programs of each homeless child or youth shall be maintained so that appropriate services may be given the student, so that necessary referrals can be made, and so that records may be transferred in a timely fashion when homeless children or youth enters a new LEA. Copies of records shall be made available upon request to students or parents in accordance with the Family Educational Rights and Privacy Act.

#### *Coordinator:*

The Board will designate an individual to act as the LEA's homeless coordinator to ensure compliance with federal and state law. The homeless coordinator will "ensure that homeless children and youth enroll and succeed in the schools of that agency; and homeless families, children and youth receive educational services for which they are eligible, and referrals to health care services, dental services, mental health services, and other appropriate services." The homeless coordinator will also ensure that disputes regarding the placement or education of homeless children or youth are resolved in a timely fashion.

The LEA shall inform school personnel, service providers and advocates working with homeless families of the duties of the LEA homeless coordinator.

#### *Resolving Grievances:*

Level I - A complaint regarding the placement or education of a homeless child or youth shall first be presented orally and informally to the LEA's homeless coordinator. If the complaint is not promptly resolved, the complainant may present a formal written complaint (grievance) to the homeless coordinator. The written charge must include the following information: date of filing, description of alleged grievances, the name of the person or persons involved and a recap of the action taken during the informal charge state. Within five (5) working days after receiving the complaint, the coordinator shall state a decision in writing to the complainant, with supporting evidence and reasons. In addition, the coordinator will inform the Executive Director or his/her designee of the formal complaint and the disposition.

Level II - Within five (5) working days after receiving the decision at Level I, the complainant may appeal the decision to the Executive Director or his/her designee by filing a written appeal package. This package shall consist of the complainants' grievance and the decisions rendered at Level I. The Executive Director or his/her designee will arrange for a personal conference with the complainant at their earliest mutual convenience. Within five (5) working days after receiving the complaint, the Executive Director or his/her designee shall state a decision in writing to the complainant, with supporting evidence and reasons.

Level III - If resolution is not reached in Level II, a similar written appeals package shall be directed through the Executive Director or his/her designee to the Board requesting a hearing before the Board at the next regularly scheduled or specially called meeting. The hearing before the Board may be conducted in closed session upon the request of either the Board or the complainant. Within thirty (30) working days after receiving the appeals package, the Board shall state its decision and reply in writing to the parties involved. For LEA purposes, the decision of the Board is final.

Level IV - If the complainant is dissatisfied with the action taken by the Governing Board of the LEA, a written notice stating the reasons for the dissatisfaction may be filed with the state director of special federal instructional programs. The state director will initiate an investigation, determine the facts relating to the complaint, and issue notice of his or her findings within thirty (30) days to the LEA and the complainant. If the findings support the action taken by the LEA, such action will be confirmed. If the findings support the allegations of the complainant, the LEA will be directed to take corrective action. An appeal of this decision can be made within ten (10) days to the Deputy Commissioner of Education. Within thirty (30) days after receiving an appeal, the Deputy Commissioner of Education will render a final administrative decision and notify the complainant and all other interested parties in writing.

## Policy 2.42: LEA Title I.A Parental Involvement Policy and School Title I.A Parental Involvement Policy

*In support of strengthening student academic achievement, each school that receives Title I, Part A funds must develop jointly with, agree on with, and distribute to, parents and family members of participating children a written parental and family engagement policy as required the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act of 2015 (parental involvement policy).*

### I. LOCAL EDUCATIONAL AGENCY POLICY.

In General: A local educational agency may receive Title I, Part A funds only if such agency conducts outreach to all parents and family members and implements programs, activities, and procedures for the involvement of parents and family members consistent with the provisions below. Such programs, activities, and procedures shall be planned and implemented with meaningful consultations with parents of participating children.

Written Policy: Each local educational agency that receives funds under Title I, Part A shall develop jointly with, agree upon with, and distribute to, parents and family members of participating children a written parent and family engagement policy that is incorporated into the local educational agency's plan developed under section 1112, establishes the expectations and objectives for meaningful parent and family involvement, and describes how the local educational agency will:

- involve parents and family members in the joint development of the plan under section 1112, and the support and improvement plans under section 1111.
- provide the coordination, technical assistance, and other support necessary to assist and build the capacity of participating schools in planning and implementing effective parent and family involvement activities to improve student academic achievement and school performance; which may include meaningful consultation with employers, business leaders, and philanthropic organizations, or individuals with expertise in effectively engaging parents and family members in education
- coordinate and integrate parent and family involvement strategies under this part with parent and family engagement strategies under relevant federal, state, and local programs, such as the Head Start program, Reading First program, Early Reading First program, Even Start program, Parents as Teachers program, and Home Instruction Program for Preschool Youngsters, and State-run preschool programs;
- conduct, with the meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of the parent and family engagement policy in improving the quality of the schools served under this part, including identifying barriers to greater participation by parents in activities authorized by this section (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background); the needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers; and strategies to support successful school and family interactions. The LEA should use the findings of such evaluation to design evidence-based strategies for more effective parental involvement, and to revise, if necessary, the parental and family engagement policies described in this section; and
- involve parents in the activities of the schools served under Title I, Part A, which may include establishing a parental advisory board comprised of a sufficient number and representative group of parents or family members served by the local educational agency to

adequately represent the needs of the population served by such agency for the purposes of developing, revising, and reviewing the parent and family engagement policy.

#### Reservation of Funds.

Each local educational agency shall reserve at least 1 percent of such agency's allocation under Title I, Part A, subpart 2 to carry out parental and family involvement, including family literacy and parenting skills, (unless 1 percent of such agency's allocation under Title I, Part A, subpart 2 for the fiscal year for which the determination is made is \$5,000 or less.)

Parents of children receiving services under Title I, Part A shall be involved in the decisions regarding how funds reserved as set forth above are allotted for parental involvement activities.

## II. SCHOOL PARENTAL INVOLVEMENT POLICY.

Each school served under Title I, Part A shall jointly develop with, and distribute to, parents and family members of participating children a written parent and family engagement policy, agreed upon by such parents, that shall describe the means for carrying out the requirements of Policy Involvement, Shared Responsibilities for High Student Academic Achievement, and Building Capacity for Involvement and Accessibility.

Parents shall be notified of the policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents can understand. Such policy shall be made available to the local community and updated periodically to meet the changing needs of parents and the school.

*Special rule.* --If the school has a parent and family engagement policy that applies to all parents and family members, such school may amend that policy, if necessary, to meet the requirements of this subsection.

*Amendment.* --If the local educational agency has a school district-level parental and family engagement policy that applies to all parents and family members in all schools served by the local educational agency, such agency may amend that policy, if necessary, to meet the requirements of this subsection.

*Parental comments.* --If the plan under section 1112 is not satisfactory to the parents of participating children, the local educational agency shall submit any parent comments with such plan when such local educational agency submits the plan to the State.

#### Policy Involvement.

Each school served under Title I, Part A shall:

- (1) convene an annual meeting, at a convenient time, at the beginning of the school year, to which all parents of participating children shall be invited and encouraged to attend, to inform parents of their school's participation under Title I, Part A and to explain Title I, Part A, its requirements, and their right to be involved. The school shall have sign-in sheets for this meeting and retain such sign-in sheets, the agenda for the meeting and minutes of the meeting for audit purposes by DESE;
- (2) offer a flexible number of meetings, such as meetings in the morning or evening, and may provide, with funds provided under this part, transportation, child care, or home visits, as such services relate to parental involvement;
- (3) involve parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of programs under this part, including the planning, review, and improvement

of the school parent and family engagement policy and the joint development of the schoolwide program plan under section 1114(b), except that if a school has in place a process for involving parents in the joint planning and design of its programs, the school may use that process, if such process includes an adequate representation of parents of participating children;

(4) provide parents of participating children--

(A) timely information about programs under this part;

(B) a description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the achievement levels of the challenging State academic standards; and

(C) if requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible; and

(5) if the schoolwide program plan under section 1114(b) is not satisfactory to the parents of participating children, submit any parent comments on the plan when the school makes the plan available to the local educational agency.

#### Shared Responsibilities for High Student Academic Achievement.

As a component of the school-level parent and family engagement policy, each school shall serve under this part shall jointly develop with parents for all children served under this part a school-parent compact that outlines how parents, the entire school staff, and students will share the responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership to help children achieve the State's high standards. Such compact shall:

(1) describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the children served under this part to meet the challenging State academic standards, and the ways in which each parent will be responsible for supporting their children's learning; volunteering in their children's classroom; and participating, as appropriate, in decisions relating to the education of their children and positive use of extracurricular time; and

(2) address the importance of communication between teachers and parents on an ongoing basis through, at a minimum:

(A) parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as the compact relates to the individual child's achievement;

(B) frequent reports to parents on their children's progress; and

(C) reasonable access to staff, opportunities to volunteer and participate in their child's class, and observation of classroom activities; and

(D) ensuring regular two-way meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand.

#### Building Capacity for Involvement.

To ensure effective involvement of parents and to support a partnership among the school involved, parents, and the community to improve student academic achievement, each school and local educational agency assisted under Title I, Part A:

(1) shall provide assistance to parents of children served by the school or local educational agency, as appropriate, in understanding such topics as the challenging State academic

- standards, State and local academic assessments, the requirements of this part, and how to monitor a child's progress and work with educators to improve the achievement of their children;
- (2) shall provide materials and training to help parents to work with their children to improve their children's achievement, such as literacy training and using technology (including education about the harms of copyright piracy), as appropriate, to foster parental involvement;
  - (3) shall educate teachers, specialized instructional support personnel, principals, and other school leaders, and other staff, with the assistance of parents, in the value and utility of contributions of parents, and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs, and build ties between parents and the school;
  - (4) shall, to the extent feasible and appropriate, coordinate and integrate parent involvement programs and activities with other Federal, State, and local programs, including Head Start, Reading First, Early Reading First, Even Start, the Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, and public preschool and other programs, and conduct other activities, such as parent resource centers, that encourage and support parents in more fully participating in the education of their children;
  - (5) shall ensure that information related to school and parent programs, meetings, and other activities is sent to the parents of participating children in a format and, to the extent practicable, in a language the parents can understand;
  - (6) may involve parents in the development of training for teachers, principals, and other educators to improve the effectiveness of such training;
  - (7) may provide necessary literacy training from funds received under this part if the local educational agency has exhausted all other reasonably available sources of funding for such training;
  - (8) may pay reasonable and necessary expenses associated with local parental involvement activities, including transportation and child care costs, to enable parents to participate in school-related meetings and training sessions;
  - (9) may train parents to enhance the involvement of other parents;
  - (10) may arrange school meetings at a variety of times, or conduct in-home conferences between teachers or other educators, who work directly with participating children, with parents who are unable to attend such conferences at school, in order to maximize parental involvement and participation;
  - (11) may adopt and implement model approaches to improving parental involvement;
  - (12) may establish a districtwide parent advisory council to provide advice on all matters related to parental involvement in programs supported under this section;
  - (13) may develop appropriate roles for community-based organizations and businesses in parent involvement activities; and
  - (14) shall provide such other reasonable support for parental involvement activities under this section as parents may request.

### III. ACCESSIBILITY.

In carrying out the parent and family engagement requirements, local educational agencies and schools, to the extent practicable, shall provide full opportunities for the informed participation of parents and family members including parents and family members who have limited English proficiency, parents and family members with disabilities, and parents and family members of migratory children, including providing information and school reports required under section 1111 in a format and, to the extent practicable, in a language such parents understand.

## **Policy 2.44: Migrant Procedure**

As a public school receiving federal dollars we are required to have an established procedure to identify and provide services to migrant students. We are not required to adopt a policy to this effect.

### **Identification**

For purposes of Board policies and regulation, a child is a “migratory child” and is eligible for the Migrant Education Program (MEP) if all of the following conditions are met:

1. The child is not older than 21 years of age; and
2. The child is entitled to a free public education (through grade 12) under State law or is below the age of compulsory school attendance; and
3. The child is a migratory agricultural worker or a migratory fisher or has a parent, spouse, or guardian who is a migratory agricultural worker or a migratory fisher; and
4. The child moved within the preceding 36 months in order to seek or obtain qualifying work, or to accompany or join the migratory agricultural worker or migratory fisher identified in paragraph three above, in order to seek or obtain qualifying work; and
5. The child has moved from one LEA to another.

Potential migrant students will be identified through a question on the school enrollment form. If it is indicated that a potential migrant student is enrolling, the school will notify the State MELL Director and request assistance with the identification of the student.

### **Services**

If a migrant student is identified by the MELL office, the school will be responsible to:

- assess the educational, health, and social needs of the identified student and develop objectives to address those needs so that migrant children meet the same challenging State academic content standards and academic achievement standards that all children are expected to meet;
- Provide advocacy to allow children and families to gain access to health, nutrition and social services;
- Review existing programs and resources to determine which can help meet the needs of migrant children and assure that the children have access to them;
- provide professional development activities for teachers to improve the quality of education for migrant children; and,
- provide opportunities for participation of migrant parents in the educational activities of their children.

## Policy 2.45: Age Criteria for Pre-Kindergarten and Kindergarten Admission

SECTION 1. To be eligible to receive state funds for kindergarteners, a child is eligible for admission to kindergarten and to a summer school session immediately preceding kindergarten, if offered, if the child reaches the age of five before the first day of August of the school year beginning in that calendar year.

Accordingly, no state funds will be received for a child admitted to kindergarten who reaches the age of five on or after August 1 of the school year beginning in that calendar year, unless one of the following exceptions applies:

(1) The child is a military dependent who has successfully completed an accredited prekindergarten program or has attended an accredited kindergarten program in another state.

(2) If a charter school is located within a metropolitan school district (St. Louis Public Schools district), and the school district has elected, under § 160.054, RSMo, to admit to kindergarten children who reach the age of five on or before any date between August first and October first of that year, then the charter school may adopt the same policy.

(3) If a charter school is located within an urban school district (Kansas City Public Schools district), and the school district has elected, under § 160.055, RSMo, to admit to kindergarten children who reach the age of five on or before any date between August first and October first of that year, then the charter school may adopt the same policy.

SECTION 2. Based on the foregoing, the Governing Board of Academy for Integrated Arts adopts the following policy effective on the date that the policy is adopted by the Board.

No child shall be admitted to kindergarten or to the summer school session immediately preceding kindergarten, if offered, unless the child reaches the age of five before:

The first day of October of the school year beginning in that calendar year.

Children who have birthdays between August 1 and October 1 of the school year beginning in that calendar year will be given the opportunity to complete two years of education in the early childhood classroom before entering 1<sup>st</sup> grade, one year serving as a transitional kindergarten year.

If there are pre-kindergarten spots available, children who reach the age of four before August 1 of the school year beginning in that calendar year may be admitted to pre-kindergarten.



## **Policy 2.46: Dyslexia Screening**

SECTION 1. The school shall conduct dyslexia screenings for students in the appropriate year consistent with the Department of Elementary and Secondary Education guidelines.

SECTION 2. The Governing Board of AFIA shall provide reasonable classroom support consistent with the Department of Elementary and Secondary Education guidelines.

SECTION 3. The school shall offer all of its teachers two hours of training on dyslexia and related disorders. The school may seek assistance from the Department of Elementary and Secondary Education in developing and providing such training. Completion of such training shall count as two contact hours of professional development.

## Policy 2.47: Missouri Course Access and Virtual School Program

### Section 1. Course Access and Virtual School Enrollment

As required by Missouri statute, any student under the age of twenty-one in grades kindergarten through twelve shall be allowed to enroll in Missouri course access and virtual school program courses of his or her choice as part of the student's annual course load each year or a full-time virtual school option.

### Section 2. Costs

The school shall pay the costs associated with the course or courses if:

The student is enrolled full-time in and has attended, for at least one semester immediately prior to enrolling in the Missouri course access and virtual school program, a public school except if the student has a documented medical or psychological diagnosis or condition that prevented the student from attending a school in the community the previous semester; and

The school approves the student's enrollment in a Missouri course access and virtual school program course or courses. If the school disapproves the student's enrollment, the school shall provide the reason in writing and it shall be for "good cause." The student's family shall be notified they have a right to appeal to the charter school governing body during a governing body meeting. The family of the student shall be given an opportunity to present their reasons for their child or children to enroll in the Missouri course access and virtual school program and the charter school shall provide its "good cause" justification for denial. The family and the charter school shall also provide their reasons in writing and these documents shall be entered into the official minutes of the meeting of the governing body. The charter school governing body shall issue their decision in writing within thirty calendar days and then an appeal may be made to the department of elementary and secondary education. The department of elementary and secondary education shall provide a final enrollment decision within seven calendar days. Good cause shall be defined as "a determination that doing so is not in the best educational interest of the student."

### Section 3. Notice of Right to Participate

The school shall inform parents of their child's right to participate in the Missouri course access and virtual school program. There shall be information available in the parent handbook, registration documents and on the school's website.

### Section 4. Payment of Content Provider

The school shall pay the content provider directly on a pro rata monthly basis based on the student's completion of assignments and assessments. The school shall not pay more than the market necessary costs but in no case shall pay more than fourteen percent of the state adequacy target as defined in RSMo 163.011, as calculated at the end of the most recent school year for any single, year-long course and nor more than seven percent of the state adequacy target for any single semester equivalent course.

### Section 5. A+ Students

If a student is a candidate for A+ tuition reimbursement, the school shall attribute no less than ninety-five percent attendance to any such student who has completed a virtual course.

## Section 6. Transfer Students

Pursuant to rules to be promulgated by the department of elementary and secondary education, the school shall allow the following:

If a student transfers into the school while enrolled in a Missouri course access and virtual school program course or full-time virtual school, the student shall continue to be enrolled in such course or school.

When a student transfers into the school, credits previously gained through successful passage of approved courses under the Missouri course access and virtual school program shall be accepted by the school.

## Section 7. Monitoring Student Progress

The school shall monitor student progress and success, and take into account the department of elementary and secondary education's and provider's recommendations regarding a student's enrollment in the program. The school may terminate or alter the course offering if it is found the course or full-time virtual school is not meeting the educational needs of the students enrolled in the course.

Section 9. The school shall monitor student progress and success, and course or full-time virtual school quality, and annually provide feedback to the department of elementary and secondary education regarding course quality.

## Policy 2.48: Braille Instruction

### Section 1. Definitions

For the purpose of this section, student is defined as: any student who has a visual impairment that, even with correction, adversely affects the student's educational performance and who is determined eligible for special education services under the Individuals with Disabilities Act

### Section 2. Instruction in Braille

A student shall receive instruction in braille reading and writing as part of their individualized education plan unless the individual education program team determines, after an evaluation of a student's reading and writing media, including an evaluation of the student's future needs for instruction in braille or the use of braille, that instruction in braille or the use of braille is not appropriate.

### Section 3. Individualized Education Plan

Instruction in braille reading and writing shall be sufficient to enable each student to communicate effectively and efficiently at a level commensurate with the student's sighted peers of comparable grade level and intellectual functioning.

### Section 4. The student's individualized education plan shall specify:

- (a) How braille will be implemented as the primary mode for learning through integration with normal classroom activities. If braille will not be provided to a child who is blind, the reason for not incorporating it in the individualized education plan shall be documented;
- (b) The date on which braille instruction will commence;
- (c) The level of competency in braille reading and writing to be achieved by the end of the period covered by the individualized education plan; and

The duration of each session.

## Policy 2.49: Strip Searches

### SECTION 1. Strip Searches

Section 1.1 No employee or volunteer at the school shall perform a strip search of any student of the school.

Section 1.2. A student may be strip searched by or under the authority of a commissioned law enforcement officer.

Section 1.3 A student may be strip searched by a school employee only if a commissioned law enforcement officer is not immediately available and if the school employee reasonably believes that a student possesses a weapon, explosive, or substance that poses an imminent threat of physical harm to himself or herself or another person.

Section 1.4 If a student is strip searched by an employee of the school or a commissioned law enforcement officer, the school will attempt to notify the student's parent or guardian as soon as possible.

Section 1.5 for the purposes of this policy, strip search means the inspection of a person's anus or genitalia, including but not limited to inspections conducted visually, manually or by means of any physical instrument. A strip search shall not include the removal of clothing in order to investigate the potential abuse or neglect of a student; give medical attention to a student; provide health services to a student' or screen a student for medical conditions.

### Section 2. Emblem, insignia or Garment

Section 2.1 No School employee, volunteer or board member shall direct a student to remove an emblem, insignia, or garment, including a religious emblem, insignia, or garment, as long as such emblem, insignia, or garment is worn in a manner that does not promote disruptive behavior.

### Section 3. Violation of Policy

Section 3.1 Any employee of the school who violates Section 1 of this policy shall be immediately suspended without pay, pending an evidentiary hearing, when such employee is entitled by statute or contract to such hearing. If an employee is not entitled to such evidentiary hearing, the employee shall be suspended pending completion of due process or further disciplinary action.

## **Policy 2.50: Organ, Eye, and Tissue Donation**

### SECTION 1. Presentation on Organ, Eye, and Tissue Donation.

Section 1.1 Any state or nationally recognized program or organization that provides unbiased information on organ, eye and tissue donation that requests to present information on organ, eye, and tissue donation to the Board shall be allowed to give such presentation and shall be allotted no less than thirty minutes for the presentation.

Section 1.2 The Board shall consider the information presented and decide whether to present such information to students and parents in the school and the manner in which such information shall be presented.

### Section 2. Student Instruction

Section 2.1 No student shall be required to participate in any instruction relating to information about organ, eye, and tissue donation if the student has any sincerely held religious or emotional belief which is contrary to such instruction.

## Policy 2.51: Title IX Sexual Harassment Policy

### Section 1. Definitions

Section 1.1 The following definitions are applicable to this policy:

**Actual knowledge:** notice of sexual harassment or allegations of sexual harassment to the Title IX Coordinator or any official of the school who has authority to institute corrective measures on behalf of the school, or any employee of the school. The actual knowledge standard is not met when the only official of the school with actual knowledge is the respondent. The mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures.

**Complainant:** an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

**Deliberate indifference:** a response to a sexual harassment claim that is clearly unreasonable in light of the known circumstances.

**Education program or activity:** locations, events, or circumstances over which the school exercised substantial control over both the respondent and the context in which the sexual harassment occurs.

**Respondent:** an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

**Sexual harassment:** conduct on the basis of sex that satisfies one or more of the following:

An employee of the school conditioning the provision of an aid, benefit, or service of the school on an individual's participation in unwelcome sexual conduct;

Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity; or

“Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a) (10), “domestic violence” as defined in 34 U.S.C.12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a) (30).

**Supportive measures:** non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or respondent before or after the filing of a formal complaint or where not formal complaint has been filed. Such measures are designed to restore or preserve equal access to the school's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the recipient's educational environment, or deter sexual harassment. These measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security or monitoring of certain areas of the campus, and other similar measures. The school must maintain as confidential any supportive measures

provided to the complainant or respondent to the extent that maintaining confidentiality could not impair the ability of the recipient to provide supportive measures.

## Section 2. Designation of Title IX Coordinator

Section 2.1. [School name] shall designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities under Title IX. This employee shall be referred to as the Title IX Coordinator.

Section 2.2. The Title IX Coordinator's information shall be prominently displayed on the school's website and in each handbook made available to students, parents or legal guardians of students, applicants for admission and employment, and employees

## Section 3. Notification

Section 3.1. The school shall provide notification to applicants for admission and employment, students, parents or legal guardians of students, and employees of the following:

The name or title, office address, electronic mail address, and telephone number of the Title IX coordinator.

That the school does not discriminate in education programs and activities on the basis of sex, and that the school is required by Title IX not to discriminate.

The school does not discriminate in admission and employment, and that inquiries about the application of Title IX may be directed to the Title IX Coordinator, the Assistant Secretary for Civil Rights of the federal Department of Education, or both individuals.

The school's grievance procedures and grievance process, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the recipient will respond.

## Section 4. Response to Sexual Harassment

Section 4.1. If the school has actual knowledge of sexual harassment the school must respond promptly in a manner that is not deliberately indifferent.

Section 4.2. The school's response must treat complainants and respondents equitably by offering supportive measures to a complainant, and by following the grievance process as defined in Section 5 before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent.

Section 4.3. The Title IX Coordinator must promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

Section 4.4. The school may remove a respondent from the school's education program or activity on an emergency basis, provided the school undertakes an individualized safety and risk analysis,



determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.

Section 4.5. The Title IX Coordinator, investigators, decision-makers, and any person who facilitates an informal resolution process must receive training on the definition of sexual harassment, the scope of the school's education program or activity, how to conduct an investigation and grievance process. This training shall also include how to use any technology at a live hearing, issues of relevance of questions and evidence, and issues of relevance to create an investigative report that fairly summarizes the relevant evidence. This training must be posted on the school's website.

Section 4.6. The school may place an employee on administrative leave during the pendency of a grievance process that complies with Section 5.

#### Section 5. Grievance Process for Formal Complaints of Sexual Harassment

Section 5.1. The school's treatment of a complainant or respondent in response to a formal complaint of sexual harassment may constitute discrimination on the basis of sex under Title IX.

Section 5.2. All provisions of the grievance process outlined in this policy must be applied equally to complainants and respondents.

#### Section 5.3. Grievance Process Requirements

Section 5.3.1 The grievance process must treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent.

Section 5.3.2. The grievance process must be followed before the imposition of any disciplinary sanctions or other actions that are not supportive measures are imposed on a respondent.

Section 5.3.3. Remedies must be designed to restore or preserve equal access to the school's education program or activity.

Section 5.3.4. All relevant evidence, including both inculpatory and exculpatory evidence, must be evaluated.

Section 5.3.5. Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.

Section 5.3.6. The Title IX coordinator, any individual designated as an investigator, decision-maker or any individual designated to facilitate an informal resolution process, must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Section 5.3.7. The school shall select an unbiased individual to serve as the decision-maker. This individual shall not be the Title IX coordinator or the investigator.

Section 5.4. Notice of Allegations. Upon receipt of a formal complaint, the school must provide the following written notice of the known parties:

- Recipient's grievance process, including an informal resolution process.
- Allegations of sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment and the date and location of the alleged incident, if known.
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- The parties may have an advisor of their choice, who may be, but is not required to be an attorney.
- The parties may inspect and review evidence.
- Any provision in the school's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

Section 5.4.1 If the school decides to investigate any allegations not provided in the original notice as outlined in Section 5.4, the school must provide notice of the additional allegations to the parties whose identities are known.

#### Section 5.5. Investigation of a Formal Complaint

Section 5.5.1. During an investigation, the school must ensure that the burden of proof and burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the school and not the parties.

Section 5.5.2. The school must obtain consent of a party to use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or paraprofessional acting in the profession's or paraprofessional's capacity or assisting in that capacity and which are made and maintained in connection with the provision of treatment to the party.

Section 5.5.3. The school must provide an equal opportunity for the parties to present witnesses, and other inculpatory and exculpatory evidence.

Section 5.5.4. The parties may not be restricted in their ability to discuss the allegations under investigation or to gather and present relevant evidence.

Section 5.5.5. Parties must be provided the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any relevant meeting or proceeding by the advisor of their choice, who may be an attorney. The school may not limit who may be an advisor, however, the school may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions are applied equally.

Section 5.5.6. The school must provide any party with written notice of the date, time, location, participants, and purpose of all hearing, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.

Section 5.5.7. The school must provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the school does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the school must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report. The school must make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

Section 5.5.8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to a hearing (if so provided) or other time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

#### Section 5.6. Hearings.

The school may choose to provide a hearing. Regardless of whether a hearing is provided, the school must, after the investigative report is sent to both parties, provide an opportunity before a decision is reached, for each party to submit written, relevant questions that a party wants asked of any party or witness, provide each party with answers, and allow for additional, limited follow-up questions from each party.

Section 5.6.1. With or without a hearing, questions and evidence about a complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior respect to the respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

Section 5.7. Determination Regarding Responsibility. The decision-maker, who is someone other than the Title IX coordinator or the investigator, must issue a written determination regarding responsibility.

Section 5.7.1. The written determination must include:

- Identification of the allegations potentially constituting sexual harassment.
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods use to gather other evidence, and hearings held.
- Findings of fact supporting the determination.
- Conclusions regarding the application of the school's code of conduct to the facts.
- Statement of and rational for the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the school imposes on the respondent, and whether remedies designed to restore or preserve equal access to the school's education program or activity will be provided by the school to the complainant.
- The school's procedures and permissible bases for the complainant and respondent to appeal.

Section 5.7.2. The written determination must be provided to the parties simultaneously.

Section 5.7.3. The determination regarding responsibility becomes final either on the date the recipient provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

Section 5.8. Remedies.

The Title IX coordinator is responsible for effective implementation of any remedies.

Section 5.9. Appeals.

The school must offer both parties an appeal from a determination regarding responsibility and from a school's dismissal of a formal complaint or any allegations on the following bases:

- Procedural irregularity that affected the outcome of the matter.
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome.
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

- The school may offer an appeal equally to both parties on additional bases.

Section 5.9.1. The school must notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties

Section 5.9.2. The school must ensure the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding the responsibility or dismissal, the investigator(s), or the Title IX Coordinator.

Section 5.9.3. Both parties must be given a reasonable equal opportunity to submit a written statement in support of, or challenging the outcome

Section 5.9.4. The school must issue a written decision describing the result of the appeal and the rationale for the result

5.9.5. The school must provide the written decision simultaneously to both parties.

Section 5.10. Consolidation.

The school may consolidate formal complaint as to allegations of sexual harassment against more than one respondent, or more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Section 5.11. Dismissal.

After an investigation, if it is determined that the conduct alleged in the formal complaint would not constitute sexual harassment, the conduct did not occur in the school's education program or activity, or did not occur against a person in the United States, then the recipient must dismiss the formal complaint with regard to that conduct for the purposes of sexual harassment under Title IX. This dismissal does not preclude action under another provision of the school's code of conduct.

Section 5.11.1. A complaint or any allegations therein, may be dismissed at any time during the investigation or hearing if a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; if the respondent is no longer enrolled or employed by the recipient; or specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Section 5.11.2. Upon dismissal of a complaint or any allegation therein, the school shall promptly send written notification of the dismissal and the reason(s) therefor simultaneously to the parties.

Section 6. Informal Resolution Process

Section 6.1. The school may not require as a condition enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment.

Section 6.2. The school may not require the parties to participate in an informal resolution process under this section and may not offer an informal resolution process unless a formal complaint is filed.

Section 6.3. At any time prior to the determination regarding responsibility, the school may facilitate an informal resolution process that does not involve a full investigation.

The school may do this if the parties are provided a written notice disclosing: the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be share.

The parties must provide their voluntary, written consent to the informal resolution process

The school does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

## Section 7. Recordkeeping

Section 7.1. The school must maintain the following records for a period of seven years:

- Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript, any disciplinary sanctions imposed on the respondent and any remedies provided to the complainant designed to restore or preserve equal access to the recipient's education program or activity.
- Any appeal and the result of that appeal.
- All training materials.

Section 7.2. For each response under Section 4, the school must create and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. The school must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the school's education program or activity. If the school does not provide supportive measures, the school must document the reasons why such a response was not clearly unreasonably in light of the known circumstances.

## Section 8. Retaliation.

No individual may be intimidated, threatened, coerced, or discriminated against for the purpose of interfering with any right or privilege secured by Title IX because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this part.

Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation. The school must keep confidential the identity of all parties.

Section 8.1. The exercise of rights protected under the First Amendment does not constitute retaliation.

Section 8.2. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

## **Policy 2.52 Alternative Methods of Instruction Plan Model Policy**

### **Section 1. Alternative Methods of Instruction Plan Approval**

Section 1.1. The School shall submit to the department of elementary and secondary education an application requesting approval of an alternative methods of instruction plan.

Section 1.2 The application submitted to the department of elementary and secondary education shall describe:

Section 1.2.1. The manner in which the school intends to strengthen and reinforce instructional content while supporting student learning outside the classroom environment

Section 1.2.2. The process the school intends to use to communicate to students and parents the decision to implement alternative methods of instruction on any day of a closure

Section 1.2.3. The manner in which the school intends to communicate the purpose and expectations for a day in which alternative methods of instruction will be implemented to students and parents

Section 1.2.4. The assignments and materials to be used within the school for days in which alternative methods of instruction will be implemented to effectively facilitate teaching and support learning for the benefit of the students.

Section 1.2.5. The manner in which student attendance will be determined for a day in which alternative methods of instruction will be implemented. The method chosen shall be linked to completion of lessons and activities.

Section 1.2.6. The instructional methods, which shall include instruction through electronic means and instruction through other means for students who have no access to internet services or a computer.

Section 1.2.7. Instructional plans for students with individualized education programs.

Section 1.2.8. The role and responsibility of certified personnel to be available to communicate with students.

### **Section 2. Alternative Methods of Instruction Plan Implementation**

Section 2.1. If school is closed due to exceptional or emergency circumstances, the school may use its Alternative Methods of Instruction Plan for up to thirty-six hours in a school year.

Section 2.2. The school shall notify students and parents on each day of the closure whether the alternative methods of instruction plan is to be implemented for that day. If the plan is to be implemented on any day of the closure, the school shall ensure that each student receives assignments for that day in hard copy form or receives instruction through virtual learning or another method of instruction.



## Policy 2.53: Student and Classroom Observations Policy

### SECTION 1. Classroom Observations.

SECTION 1.1. While the School acknowledges that some educational benefit may be derived from third parties wishing to conduct classroom observations for research purposes for educational products or services, it is the responsibility of the School to protect the privacy of all students.

SECTION 1.2. Requests for observations by an outside educational or clinical professional must be submitted in writing to the School Leader or his/her designee for consideration at least two weeks in advance of the requested observation. The request must include the name and credentials of the professional who will be observing the classroom, the purpose of the classroom observation, the data that will be collected and a certification that the third party will comply with the Family Educational Rights and Privacy Act (“FERPA”) and any other applicable state or federal laws pertaining to student privacy. In addition, the third party may be required to execute a confidentiality agreement.

SECTION 1.3. School Leader or his/her designee must provide parents of students in the classroom written notice of a third party’s desire to observe the classroom, and parent concerns regarding outside observers shall be taken into consideration in the decision whether or not to allow the third party to observe the classroom.

SECTION 1.4. If the outside professional is approved for the observation, all data collected shall be provided to the School Leader or his/her designee.

SECTION 1.5. Upon request, School Leader or his/her designee may, at his/her discretion, grant permission for visits by outside service providers who currently provide private educational or therapy services to a current student. To minimize disruption to the instructional program, outside service providers must comply with the guidelines for all visitors plus the following additional guidelines: (1) the third party must currently provide educational or therapy services to the student; (2) provide the School Leader or his/her designee an appropriate Release of Confidential Information under the Family Educational Rights and Privacy Act (FERPA), signed by the parent/guardian; (3) have the parent/guardian coordinate the observation date and time; (4) limit the observation to one hour unless an extended time period has been granted in advance of the scheduled observation; and (5) conduct the session in such a manner that allows the regular school program to continue during the visit by refraining from engaging the attention of the teacher or student(s) through conversation or other means.

## Policy 2.54: Virtual Education Observation Policy

### Section 1: Observation of Virtual Classroom Sessions

Section 1.1 Non-students are allowed to observe virtual classroom sessions.

Section 1.2 An individual wishing to observe a virtual classroom session must email the teacher in advance of the lesson with a request to observe the classroom session. The observer must give at least 48 hours notice.

Section 1.3 An observer shall not participate in the lesson or interrupt the teacher to ask a question.

Section 1.4 The school administrator shall send a communication to parents or guardians at the beginning of the year sharing the virtual observation policy.

### Section 2: Protecting Student Privacy

Section 2.1 In order to protect the privacy of students participating in virtual classrooms, the school shall send a communication to parents/guardians and students requesting that no personally identifiable information that may be disclosed in the virtual classroom be shared or recorded.

Section 2.2 If a parent/guardian and/or student wishes to record or share personally identifiable information from a virtual classroom session, they must request prior written consent in order to share such information.

## Policy 2.55: Interstate Compact on Educational Opportunity for Military Children Policy

This policy implements the obligations of Academy for Integrated Arts under the Interstate Compact on Educational Opportunity for Military Children.

### Section 1. Definitions

**Active Duty:** full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Section 1209 and 1211.

**Deployment:** the period one (1) month prior to the service members' departure from their home station on military orders through six (6) months after return to their home station.

**Education(al) records:** those official records, files, and data related to a student and maintained by the school or local education agency including but not limited to records encompassing all the material kept in the student's cumulative folder such as general identifying data, records of attendance and of academic work completed, records of achievement and results of evaluative tests, health data, disciplinary status, test protocol and individualized education programs.

**Extracurricular activities:** a voluntary activity sponsored by the school or local education agency or an organization sanctioned by the local educational agency. Extracurricular activities include, but are not limited to, preparation for and involvement in public performances, contests, athletic competitions, demonstrations, displays, and club activities.

**Military installation:** a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility, which is located within any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Northern Marianas Islands and any other U.S. Territory. Such term does not include any facility used primarily for civil works, rivers and harbors projects, or flood control projects.

**Receiving state:** the state to which a child of a military family is sent, brought, or caused to be sent or brought.

**Sending state:** the state from which a child of a military family is sent, brought, or caused to be sent or brought.

**Transition:** 1) the formal and physical process of transferring from school to school or 2) the period of time in which a student moves from one school in the sending state to another school in the receiving state.

### Section 2. Applicability

Section 2.1. This policy applies to the children of: (1) active duty members of the uniformed services, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Section 1209 and 1211; (2) members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one (1) year after medical discharge or retirement; and (3) members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one (1) year after death.

Section 2.2. This policy shall not apply to children of: (1) inactive members of the National Guard and military reserves; (2) members of the uniformed services now retired, except as provided for in Section 2.1; (3) veterans of the uniformed services, except as provided for in Section 2.1; and (4) other United States Department of Defense personnel and other federal agency civilian and contract employees not defined as active duty members of the uniformed services.

### Section 3. Student Eligibility and Enrollment

Section 3.1. Upon receipt of the unofficial education records by Academy for Integrated Arts, school shall enroll and appropriately place the student based on the information provided in the unofficial records pending validation by the official records, as quickly as possible.

Section 3.2. Simultaneous with enrollment and conditional placement of student, Academy for Integrated Arts shall request the student's official education record from the school in the sending state. If Academy for Integrated Arts is the school in the sending state, Academy for Integrated Arts will process any such request and furnish the official education records to the school in the receiving state within ten (10) days.

Section 3.2. A special power of attorney, relative to the guardianship of a child of a military family and executed under applicable law shall be sufficient for the purposes of enrollment and all other actions requiring parental participation and consent.

Section 3.3. Academy for Integrated Arts is prohibited from charging tuition to a transitioning military child placed in the care of a noncustodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent.

Section 3.4. A transitioning military child shall have thirty (30) days from the date of enrollment to obtain any required immunization(s).

Section 3.5. A transitioning military child, placed in the care of a non-custodial parent or other person standing in local parentis who lives in a jurisdiction other than that of the custodial parent, may continue to attend Academy for Integrated Arts if he/she was enrolled while residing with the custodial parent.

Section 3.6. Students shall be allowed to continue their enrollment at grade level in the receiving state commensurate with their grade level (including Kindergarten) in the sending state at the time of transition, regardless of age. A student who has satisfactorily completed the prerequisite grade level in the sending state shall be eligible for enrollment in the next

highest grade level in the receiving state, regardless of age. A student transferring after the state of the school year in the receiving state shall enter the school in the receiving state on their validated level from an accredited school in the sending state.

Section 3.7. Academy for Integrated Arts shall facilitate the opportunity for transitioning military children's inclusion in extracurricular activities, regardless of application deadlines, to the extent they are otherwise qualified.

#### Section 4. Placement and Attendance

Section 4.1. When the student transfers before or during the school year, Academy for Integrated Arts shall initially honor placement of the student in educational courses on the student's enrollment in the sending state school and/or educational assessment conducted at the school in the sending state if the courses are offered. Continuing the student's academic program from the previous school and promoting placement in academically and career challenging courses should be paramount when considering placement. This does not preclude Academy for Integrated Arts from performing subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the course(s).

Section 4.2. Academy for Integrated Arts shall initially honor placement of the student in educational programs based on current educational assessment conducted at the school in the sending state or participation/placement in like programs in the sending state. Such programs include, but are not limited to: 1) gifted and talented programs, and 2) English as a second language (ESL). This does not preclude Academy for Integrated Arts from performing subsequent evaluations to ensure appropriate placement of the student.

Section 4.3. Academy for Integrated Arts shall initially provide comparable services to a student with disabilities based on his/her current Individualized Education Program (IEP). Academy for Integrated Arts shall make reasonable accommodations and modifications to address the needs of incoming students with disabilities to provide such students with equal access to education. This does not preclude Academy for Integrated Arts from performing subsequent evaluations to ensure appropriate placement of the student. Nothing in this section exempts Academy for Integrated Arts from the requirements of federal and state law.

Section 4.4. Academy for Integrated Arts may waive course/programs prerequisites, or other preconditions for placement in courses/programs.

Section 4.5. A student whose parent or legal guardian is an active duty member of the uniformed services, as defined in this policy, and has been called to duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting, shall be granted additional excused absences at the discretion of Academy for Integrated Arts to visit with his or her parent or legal guardian relative to such leave or deployment of the parent or guardian.

#### Section 5. Graduation

Section 5.1. Academy for Integrated Arts shall waive specific courses required for graduation if similar course work has been satisfactorily completed in another local education agency, or shall provide reasonable justification for denial. Should a waiver not be granted to a student who would qualify to graduate from the sending school, Academy for Integrated Arts shall provide an alternative means of acquiring coursework so that graduation may occur on time.

Section 5.2. Should a military student transferring at the beginning or during his or her senior year of high school be ineligible to graduate from the receiving local education agency after all alternatives have been considered, the sending and receiving local education agencies shall ensure the receipt of a diploma from the sending local education agency, if the student meets the graduation requirements of the sending local education agency. Academy for Integrated Arts shall ensure cooperation, as either the sending or receiving local education agency, in the event of the situation described in this section.

## **SECTION 3: FINANCIAL OPERATIONS POLICIES**

### **Policy 3.1: Annual Operating Budget Policy**

#### **SECTION 1. Budget Process**

SECTION 1.1. The Executive Director will ensure that AFIA follows a budgeting process that is consistent with the requirements of federal and Missouri statutes, State Board of Education Rules and Regulations and any other applicable laws or rules.

SECTION 1.2. Each year the Executive Director is required to submit to the Board for consideration a detailed annual budget showing estimates of income and expenditures for the ensuing fiscal year.

SECTION 1.3. Needs Analysis. Each year before the annual operating budget is drafted the Executive Director shall ensure that a needs assessment of AFIA is drafted and finalized by a budget committee consisting of the school's School Leader and other individuals as designated by the board. The needs assessment shall inform the drafting of the annual budget.

SECTION 1.4. Adoption. The Board shall formally adopt the budget in an open meeting held in accordance with the Board's bylaws by June 30, according to all applicable laws and regulations and before the expenditure of any funds. By law the approved estimated expenditures for each fund cannot exceed the estimated revenues to be received plus the unencumbered beginning cash balance for the fund.

SECTION 1.5. Minutes. The Secretary of the Board will record the adoption of the budget and any amendments in the Board meeting minutes in which the adoption occurs.

SECTION 1.6. Post-Adoption. After the beginning of the fiscal year, the School Leader shall review with the Board the adopted budget in relationship to the beginning cash balances for each fund.

#### **SECTION 2. Fiscal Compliance**

The Executive Director shall ensure that AFIA complies with all state and federal laws and rules concerning the budget and related processes of the school.

## Policy 3.2: School Accounting System Policy

### SECTION 1. Fiscal Year

AFIA adopts a fiscal year that begins on the first day of July and ends on the thirtieth day of the following June.

### SECTION 2. Financial Accounting

AFIA will adhere to the accounting guidelines of the Missouri Department of Elementary and Secondary Education.

SECTION 2.1. Accounting records. The school shall maintain records that adequately identify the source and application of funds. These records must contain information pertaining to grant or subgrant awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays or expenditures, and income.

SECTION 2.2. Internal controls. The school shall maintain effective control and accountability of all state and local funds, federal grant and subgrant cash, real and personal property, and other assets obtained with local, state or federal funds. The school shall adequately safeguard all such property and assure that it is used solely for authorized purposes.

SECTION 2.3. Source documentation. Accounting records must be supported by such source documentation as cancelled checks, paid bills, payrolls, time and attendance records, contract and subgrant award documents, etc.

SECTION 2.4. Budget control. The school shall compare actual expenditures or outlays of state or federal funds with budget amounts for each fund, grant or subgrant. Financial information must be related to performance or productivity data, including the development of unit cost information whenever appropriate or specifically required in the grant or subgrant agreement. Applicable federal cost principles, agency program regulations, and the terms of grant and subgrant agreements will be followed in determining the reasonableness, allowability, and allocability of costs.

### SECTION 2.5. Account Code Structure

All charter schools must use the account code structure as described in the Missouri Department of Education's Chart of Accounts.



## Policy 3.3: Audit and Financial Statements Policy

### SECTION 1. Annual Audit.

SECTION 1.1. Annual Audit. Annually, the books and accounts of the School will be audited by an independent certified public accountant in conformance with the prescribed standards and legal requirements. The Executive Director shall place before the Board the matter of the retaining of a certified public accountant. The auditor shall be selected by the Board. The audit shall be presented to the Board for examination and approval.

SECTION 1.2. Board Action. Once the Board of Academy for Integrated Arts receives the final report, it must vote to accept the contents of the audit at either its next regularly called meeting or at a special meeting called in accordance with the Board's bylaws.

SECTION 1.3. Submission to Sponsor. The Executive Director shall ensure that a copy of the annual audit report is timely filed with the Sponsor. The audit report should include a certificate signed by the Chair of the Board that the Board voted to accept the contents of the audit. If the Board did not accept the contents of the audit report, that should be noted with the submission.

SECTION 2. Annual Financial Statement. The Executive Director shall prepare, or cause to be prepared, an annual financial statement for each fund subject to the authority of the Board during the fiscal year showing:

- a. the total receipts of the fund, itemized by source of revenue, including taxes, assessments, service charges, grants of state money, gifts, or other general sources from which funds are derived;
- b. the total disbursements of the fund, itemized by the nature of the expenditure; and c. the balance in the fund at the close of the fiscal year.
- c. the balance in the fund at the close of the fiscal year.

SECTION 2.1. The Executive Director shall ensure that the annual financial statement is submitted to the Sponsor in a timely manner pursuant to deadlines.

## Policy 3.6: Payroll Policy

SECTION 1.1. Accurate & Timely Payroll. The Executive Director shall ensure that school employees are paid accurately and timely in accordance with applicable laws and rules.

SECTION 1.2. School employees shall be paid:

- a. In United States currency;
- b. By a written instrument (e.g. check) issued by the employer that is negotiable on demand at full face value for United State currency; or
- c. By the electronic transfer of funds to the employee's bank pursuant to a direct deposit agreement signed by the employee.

SECTION 2. Paydays.

- a. Exempt Employees. The paydays for exempt employees shall be on the 15<sup>th</sup> and the last day of the month.
- b. Non-exempt Employees. The paydays for non-exempt employees shall be on 15<sup>th</sup> and the last day of the month.

SECTION 3. Withholding of Wages. The Executive Director shall ensure that the wages of school employees are not withheld except in the following situations as permitted by applicable laws and rules.

- a. The school is ordered to do so by a court of competent jurisdiction;
- b. The is authorized to do so by state or federal law; or
- c. The school has written authorization from the employee to deduct part of the wages for a lawful purpose.

SECTION 4. Teachers Retirement System. As prescribed by Statute, all teachers at AFIA shall be members of the Kansas City Public School Retirement System and subject to its requirements. The Board shall expend for teacher retirement and compensation for instructional staff an amount that reflects the requirements as outlined in Missouri State Statute and Department of Elementary and Secondary Education regulation

## Policy 3.7: Federal Fiscal Compliance Policy

### SECTION 1. Fiscal Requirements under Title I, Title II and Title IV of ESSA

SECTION 1.1. Supplement not Supplant. Academy for Integrated Arts shall ensure that federal funds will be used to supplement, not supplant regular non-federal funds.

SECTION 1.2. Documentation. Documentation shall be maintained, or caused to be maintained, by the Executive Director. The documentation must clearly demonstrate the supplementary nature of federal funds.

SECTION 2. Federal Grant Allowable Expenditures. Prior to expending funds, the Executive Director shall consult the appropriate OMB Circular (OMNI Circular) or other federal guidance to determine what costs are allowable. The Executive Director shall ensure that all grant funds are expended in accordance with requirements in section 2.1 and the Circular or other applicable federal law or rule.

Section 2.1 Allowability. To be allowable under a federal award, costs must meet the following general criteria and be documented that such criteria are met:

- Be necessary and reasonable for the performance of the Federal award and be allocable thereto under these principles;
- Conform to any limitations or exclusions set forth in these principles or in the Federal award as to the types or amount of cost items;
- Be consistent with the policies and procedures that apply uniformly to both federally-financed and other activities of the non-Federal entity;
- Be accorded consistent treatment. A cost may not be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to a Federal award as an indirect cost;
- Be determined in accordance with generally accepted accounting principles (GAAP);
- Not be included as a cost or used to meet cost sharing or matching requirements of any other federally-financed program in either the current or a prior period;
- Be adequately documented; and
- Be net of all applicable credits.

### SECTION 3.

Standards for Documentation of Personnel Expenses (2 C.F.R. § 200.430, OMNI DESE Memo FAS-15-003 Time and Effort under the OMNI Circular, April 2, 2015),

Time and Effort: Records are required for all employees, including teachers, paraprofessionals, administrators, and other staff that are paid with federal funds to document the time and effort they spend within the program. The portion of the federally paid salary should be reflective of the actual activity, not budgeted, the individual has put forth for that federal program. Time and effort reporting is required when any part of an individual's salary is charged to a federal program or used as match for a federal program.

Semi-Annual Certification: Where employees are expected to work solely on a single Federal award or

cost objective, charges for their salaries and wages will be supported by periodic certifications that the employees worked solely on that program for the period covered by the certification. These certifications are required to be prepared at least semi-annually.

Monthly Personnel Activity Report (PAR): Where employees work on multiple activities or cost objectives, a distribution of their salaries or wages will be supported by personnel activity reports (PARs). Salaries and wages of employees used in meeting cost sharing or matching requirements of Federal awards must be supported in the same manner as those claimed as allowable costs under Federal awards.

Charges for salaries must be based on records that accurately reflect the work performed. These records must be:

- Supported by a system of internal controls which provides reasonable assurance that the charges are accurate, allowable, and properly allocated;
- Incorporated into the official records;
- Reflecting the total activity for which the employee is compensated, not to exceed 100%;
- Encompassing all activities (federal and non-federal);
- Compliant with established accounting policies and practices; and
- Distributed among specific activities or cost objectives.

#### SECTION 4. Charter Schools Program (CSP), ESSA Title IV, Part C

SECTION 4.1. Compliance. If Academy for Integrated Arts receives CSP grants, the Executive Director shall ensure that Academy for Integrated Arts shall comply and use the federal funds in accordance with all statutes, regulations, and approved applications.

SECTION 4.2. Fiscal Control. The Executive Director shall directly administer or supervise the administration of any projects funding through CSP funds, and shall use fiscal control and fund accounting procedures that ensure proper disbursement of, and accounting for, federal funds.

SECTION 4.3. Procurement. When using CSP funds to enter into a contract for equipment or services the Executive Director shall comply with the applicable federal procurement standards.

#### SECTION 5. Use of Federal Grant Funds for Procurement

SECTION 5.1. Open and Free Competition. The Executive Director shall ensure that all procurement transactions are conducted in a manner that provides open and free competition. Awards must be made to the bidder/offeror whose bid/offer is responsive to the solicitation and is most advantageous to Academy for Integrated Arts considering price, quality, and other relevant factors deemed appropriate by the Academy for Integrated Arts.

SECTION 5.2. Conflicts of Interest. Pursuant to the Conflict of Interest Board Policy, no employee, officer, or agent of, who has a real or apparent conflict of interest, will participate in the selection, award, or administration of a contract supported by federal funds. Employees, officers, and agents may also not solicit or accept favors, gratuities, or anything of monetary value from contractors or their agents.

#### SECTION 5.3.

a. The solicitation of bids or offers must provide a clear and accurate description of the requirements to be fulfilled by the bidder, technical requirements to be performed including the

108

Academy for Integrated Arts Board Policies – Updated July 22, 2021

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minimum acceptable standards and specific features of brand name or equal descriptions that bidders are required to meet;

b. Positive efforts shall be made to utilize small businesses, minority-owned firms, and women's business enterprises whenever possible;

c. The type of procurement instruments used (e.g. purchase orders) must be appropriate for the particular procurement;

d. Contracts are made only with responsible contractors who possess the potential ability to perform successfully under the terms and conditions of the proposed procurement;

f. Procurement documents shall be made available, upon request, to appropriate government officials.

SECTION 5.4. Record Documentation. The Executive Director shall ensure there is a cost or price analysis made and documented with every procurement action as well as appropriate documentation for the basis for contractor selection. The Executive Director shall also ensure the evaluation of the contractor performance and document whether the contractor has met the terms, conditions, and specifications of the contract.

Section 5.5 All prequalified lists of persons, firms, or products which are used in acquiring goods and services must be reviewed and kept current and shall include enough qualified sources to ensure maximum open and free competition.

Section 5.6 Any procurement of goods and services up to \$10,000 shall be made by the Executive Director. Procurement of goods and services over \$10,000 must be approved by the Board. Any procurement of goods and services exceeding \$25,000 may require the release of a request for proposal (RFP) at the discretion of the Board, and Board approval. Any procurement of goods and services exceeding \$50,000 shall require an RFP and Board approval.

The school shall utilize the most appropriate procurement method based on the particular procurement. The school utilize one of the following methods or any more restrictive method:

- Micro-purchases. Procurement by micro-purchase is the acquisition of supplies or services which are up to \$10,000. This purchase may be awarded without soliciting competitive quotations.
- Small purchase procedures. Small purchase procedures are those simple and informal procurements for securing services, supplies or other property that cost between \$10,001 to 100,000. Price and rate quotations must be obtained from at least two qualified sources.
- Sealed bids (formal advertising). Bids are publicly solicited and a firm fixed price contract is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. This method is preferred for procuring construction.
- Competitive proposals. The technique of competitive proposals is normally conducted with more than one source submitting an offer and either a fixed price or cost reimbursement type of contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids.
- Noncompetitive proposals. This is the solicitation of a proposal from only one source and may be used only when one or more of the following applies:
  - The item is available only from a single source;
  - The public emergency for the requirement will not permit a delay;
  - The pass-through entity authorizes noncompetitive proposals in response to a written

- request; and/or
- After solicitation of a number of sources, competition is determined to be inadequate.

#### SECTION 6. Travel Costs.

Travel costs are the expenses for transportation, lodging, subsistence, and related items incurred by employees who are in travel status on official business of the non-Federal entity. These costs are reimbursable with appropriate approval and documentation of expenses. Travel costs charged to Federal awards/funds must meet the requirements of 2 C.F.R. § 200.474.

Section 6.1 Travel costs may be charged on an actual cost basis, on a per diem or mileage basis in lieu of actual costs incurred, or on a combination of the two, provided the method used is applied to an entire trip and not to selected days of the trip and results in charges consistent with those normally allowed in like circumstances in the school's non-federally-funded activities and in accordance with the school's written travel reimbursement policies.

Section 6.2 Cost incurred by employees for travel, including costs of lodging, other subsistent, and incidental expenses, must be considered reasonable and otherwise allowable only to the extent such costs do not exceed charges normally allowed by the school as a result of the school's written travel policy.

If these costs are charged to the Federal award, documentation must justify that (1) the participation of the individual is necessary to the Federal award; and (2) the costs are reasonable and consistent with the school's travel policy. Document may include any or all of the following: an agenda; prior written approval; and/or written justification statement.

Section 6.3 The school shall not use its grant funds for temporary dependent care costs unless specifically permitted by the authorizing statute, regulation, and Department.

Section 7. Compliance with the Cash Management Improvement Act. In order to comply with the Cash Management Improvement Act (CMIA) the Department of Elementary and Secondary Education will only make payments to the school for reimbursements. Reimbursements are only for funds "spent"—transactions that are recorded on the school's books and the funds delivered to the recipients.

Section 7.1. The school may only make requests for payment once an initial budget application for the grants has been approved and must only include actual cumulative expenditures up to the payment request submission date.

Section 7.2 The school must at least annually submit an accounting of any interest earned on any Federal funds to the federal Department of Health and Human Services through the Department of Elementary and Secondary Education. The school may retain up to \$500 of earned interest annually on all combined Federal programs for administrative expenses. The school must document all administrative expenses in order to claim the interest offset. Under this section, the interest calculation is the amount of reimbursement times the annualized Federal interest rate for the fiscal year times the number of business days the funds were held until delivery. The federal interest rates may be found at <http://www.fms.treas.gov/cmia/index.html>.

## **Policy 3.8: Capital Assets Accounting Policy**

Section 1.1. Definition of Capital Asset. A capital asset is an asset that is tangible in nature; has a life that exceeds one year; of significant value (\$1,000 per unit or a lower amount designated by the board of directors); and reasonably identified and controlled through a physical inventory system. Examples include: land, buildings, machinery, and furniture.

SECTION 1.2. Documentation. The Executive Director shall ensure that AFIA maintains accurate records of capital assets in accordance with applicable rules.

SECTION 1.3. Inventory. The Executive Director will ensure that a physical inventory of capital assets takes place once every two years.

SECTION 1.4. Annual Audit. The annual financial audit shall include an exhibit in the audit report identifying all capital assets and the ownership interest of local, state, and federal parties.

### **Policy 3.9: State Tax Sources Policy**

The Board of AFIA adopts the following policy, which shall be effective on the date that the policy is adopted by the Board.

Section 1.1. Acceptance. All state funds will be accepted for the operation of the School as provided by entitlement by law and through regulations of the Missouri State Board of Education or Missouri Department of Elementary and Secondary Education.

Section 1.2. Reporting. The Executive Director, Principal or Business Manager is responsible for filing all required reports and forms to obtain state funds to which the School is entitled to receive according to developed rules and regulations.



### **Policy 3.10: State and Federal Projects Policy.**

Section 1.1. Authority to Operate. With Board approval, the School may operate various specially funded programs that must be administered in accordance with particular federal and/or state laws, regulations and other conditions for use of such funds.

The Principal shall be the designated School official responsible for coordinating funded projects, administering programs and ensuring that the various departments operating these programs do so within the guidelines of the particular program. The administration shall keep accurate and separate records, as required by state and federal programs, to enable the School to verify program compliance and success. The Principal shall keep the Board fully informed.

### **Policy 3.11: Borrowing Funds Policy**

Section 1.1. Authority. State law authorizes the Board to borrow funds in anticipation of the collection of revenue in order to insure continuity in the operations of the School. The Board must approve in advance all applications for loan indebtedness. The amount borrowed and the repayment of notes payable shall be within guidelines as established by state law and rules and regulations of the Missouri Department of Elementary and Secondary Education.

## **Policy 3.12: Bonded Indebtedness Policy**

Section 1.1. Authority. The Board may issue bonds for any School expenditures as prescribed in state law.

### **Policy 3.13: Authorized Signatures on all Financial Accounts**

Section 1. The Board of AFIA shall designate at least one current board member to be included as an authorized signature on all financial accounts of the school.

Section 1.1. The Board shall notify all financial institutions that serve the school of the board member who is to be included as an authorized signature on financial accounts.

Section 2. The Board of AFIA shall annually certify to the Missouri Charter Public School Commission that the financial institutions that serve the school have on file the authorization form for the board member who is to be the signature on all financial accounts.

## **SECTION 4: HUMAN RESOURCES**

### **Policy 4.1: Extended Leave Policy**

#### **SECTION 1. Eligibility Criteria**

##### SECTION 1.1. Eligible Employees

Employees who have been employed for at least twelve (12) months and who have worked at least 1,250 hours during the 12-month period immediately prior to requesting Extended Leave are eligible to request twelve (12) weeks of Extended Leave.

##### SECTION 1.2. Eligible Reasons for Extended Leave

An eligible employee may request Extended Leave for one or more of the following reasons:

1. Birth of a child and to care for the newborn child;
2. Adoption or foster placement of a child with the employee;
3. To care for the employee's spouse, son, daughter or parent, if that person has a serious health condition;
4. Serious health condition of employee that prevents the employee from performing the job functions.

#### **SECTION 2. Definitions**

*"Parent"* means a biological parent or one who acted in place of a parent when the employee was a child. The term "parent" does not include parent "in-law."

*"Serious health condition"* means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice or residential medical care facility or continuing treatment by a health care provider and has been duly documented by a health care provider.

*"Son or daughter"* means a biological, adopted or foster child, a step-child, a legal ward or a child for whom the employee acts as a parent. The son or daughter must be under age 18 or, if the son or daughter is age 18 or older, he/she must be incapable of self-care on a daily basis due to a documented mental or physical disability.

*"Spouse"* means a husband or wife.

#### **SECTION 3. Extended Leave Procedures**

##### SECTION 3.1 Notification of Need for Extended Leave

Requests for Extended Leave must be submitted in writing to the Principal.

If the need for Extended Leave is foreseeable, an employee requesting Extended Leave must provide at least 30 days' advance notice to the Principal. If such advance notice is not possible, the employee must give said notice as soon as practicable, ordinarily within one to two working days of learning of the need for Extended Leave. When planning medical treatment, the employee should make a reasonable effort to schedule the treatment so that any corresponding Extended Leave will not unduly disrupt the operations of the school or classroom instruction.

### SECTION 3.2. Required Certification and Reporting

A request for Extended Leave for medical reasons must be supported by a certification issued by the appropriate health care provider on the form available in the school office. This certification must include:

1. The date on which the serious health condition commenced;
2. The probable duration of the condition;
3. If the purpose of the Extended Leave is to care for a son, daughter, spouse or parent, a statement that the employee is needed to care for the family member and the estimated amount of time needed for such care;
4. If the Extended Leave is due to the employee's own serious health condition, a statement that the employee is unable to perform the essential functions of his or her job and the type (single time period/intermittent/reduced schedule) and amount of time the employee needs off of work. The employer may require that the eligible employee obtain subsequent recertification on a reasonable basis as requested by the Principal.

AFIA, at its own expense, may obtain the opinion of a second health care provider of AFIA's choice, if it should choose to do so. If a conflict exists between the opinion in the certification and the second opinion, AFIA may, at its own expense, obtain a third opinion from a health care provider upon which AFIA and the employee jointly agree. Such a third opinion as to the necessity for the Extended Leave is binding on both AFIA and the employee.

Upon an employee's return after Extended Leave for his/her own serious health condition, AFIA may require the employee to obtain certification from a health care provider that the employee is able to resume work.

AFIA may require an employee on Extended Leave to report periodically to the Principal on the employee's status and intent to return to work.

### SECTION 3.3. Amount and Timing of Extended Leave

An eligible employee may take a total of twelve (12) weeks of Extended Leave during any twelve-month period for medical reasons. The twelve-month period shall be measured backward from the date the employee begins using Extended Leave for medical reasons.

An eligible employee may take a total of twelve (12) weeks of Extended Leave within twelve (12) months after the birth, adoption or foster placement.

An employee may only take Extended Leave on an intermittent basis or as part of a reduced schedule when medically necessary.

### SECTION 3.4 Pay During Extended Leave

Employees seeking to take Extended Leave to care for a newborn or adopted child, a child placed with the employee for foster care, a parent, spouse or child with a serious health condition, or because of their own serious health condition, must use any accrued Paid Time Off (PTO) concurrent with Extended Leave. Once PTO has been exhausted, the remaining Extended Leave is unpaid.

### SECTION 3.5. Benefits and Return to Work

Employees using Extended Leave are eligible to participate in medical and voluntary benefits as allowed by the applicable benefit plan. AFIA will pay the employer's portion, if any, of such benefits, as required by the applicable benefit plan. The employee will pay the same portion, if any, of such benefits as the employee would pay if not on Extended Leave. The employee will be billed for the employee portion of the benefits and shall timely pay required premiums in order to maintain active benefits coverage. Failure to pay the employee portion of any premium for more than 30 days will result in termination of coverage and you will be offered COBRA if required by law.

An employee on unpaid Extended Leave will not accrue PTO, but will be considered to be working for purposes of determining years of service.

AFIA may recover from the employee any health care benefit premiums paid on behalf of an employee if the employee does not return to work after the Extended Leave period has expired.

### SECTION 3.6. Special Provisions

When an instructional employee or other key position essential to the function of the school seeks Extended Leave on an intermittent basis or as part of a reduced schedule for medical reasons that would constitute at least 20% of the total number of working days during the period over which the Extended Leave extends, AFIA may require the employee to elect to take Extended Leave in a block (not intermittent/reduced schedule) for the entire period or to transfer to an available alternative position within the school that is equivalent in pay, for which the employee is qualified, and which better accommodates the request for intermittent/reduced schedule Extended Leave.

If the employee begins Extended Leave more than five weeks before the end of a semester, the employee may be required to continue taking Extended Leave until the end of the semester if:

- a. the Extended Leave will last at least three weeks; and
- b. the employee would return to work during the three-week period before the end of the term.

## **SECTION 4. Requests for Additional Unpaid Leave**

Additional unpaid leave may be granted under extenuating circumstances, at the discretion of the Executive Director or as otherwise required by applicable law. Requests for additional unpaid leave shall be submitted in writing to the Executive Director at least five (5) calendar days prior to the expiration of Extended Leave, along with the medical certification required in Section 3.2.

## Policy 4.2: Equal Employment Opportunity Policy

### SECTION 1. Equal Opportunity Employment

The School is committed to providing equal opportunity in all areas of education, recruiting, hiring, retention, promotion and contracted service. The School further commits itself to the policy that there shall be no unlawful discrimination against any person because of race, color, religion, disability, age, gender, national origin, or sexual orientation, or any other characteristic protected by law.

The School's equal opportunity policy extends to prohibitions against unlawful harassment of students or employees because of the individual's race, color, religion, disability, age, gender, national origin, or sexual orientation, or any other characteristic protected by law.

#### SECTION 1.1. Non-Discrimination Against Individuals with Disabilities

The Academy for Integrated Arts Board shall comply with the Americans with Disabilities Act (ADA) and applicable state and local laws providing for non-discrimination in employment against qualified individuals with disabilities. The Academy for Integrated Arts Board shall also provide reasonable accommodations for qualified individuals in accordance with these laws. The Board shall ensure that qualified individuals with disabilities are treated in a non-discriminatory manner in the pre-employment process and during active employment with Academy for Integrated Arts.

Qualified applicants or Academy for Integrated Arts employees with disabilities should make formal requests in writing for accommodations.



### **Policy 4.3: Drug Free Workplace Policy**

The unlawful possession, use or distribution of illicit drugs and alcohol on school premises or as a part of school activities is strictly prohibited.

Employees under the influence of alcohol, drugs, or controlled substances while on duty are a serious risk to themselves, to students and to other employees. Employees who display physical manifestations of drug or alcohol use while on duty, may be subject to drug testing. Any employee who violates this policy will be subject to disciplinary action up to and including termination and referral for prosecution. Employees may also be required to satisfactorily participate in rehabilitation programs.

As a condition of employment, all employees must abide by the terms of this policy. Employees who are convicted of a drug offense which occurred on school premises or while on duty must notify the School leader of their conviction. Notification must be made by the employee to the School leader within five (5) days of the conviction. Within ten (10) days, the School leader will provide notice of such violation to the Impact Aid Program, United States Department of Education, or other appropriate government agency.

The School will institute a drug-free awareness program to inform employees of:

1. The dangers of drug and alcohol abuse in the workplace.
2. This policy of maintaining a drug-free workplace.
3. Available counseling and rehabilitation.
4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

On the basis of medical certification, employees with the illness of chemical dependency shall qualify for the employee benefits and group insurance coverages that are provided for under group health and medical insurance policies. The confidential nature of the medical records of employees with chemical dependency shall be preserved in the same manner as for all other medical records.

The School's responsibility for chemical dependency is limited to its effects on the employee's job performance. If the employee violates this policy, refuses to accept diagnosis and treatment, or fails to respond to treatment, and performance is adversely affected, the employee will be subject to employment action in proportion to the performance problem.

Implementation of this policy will not require or result in any special regulations, privileges or exemptions from the standard administrative practice applicable to job performance requirements.

Upon the request of the Department of Elementary and Secondary Education or an agency of the United States, the School shall certify that it has adopted and implemented the drug prevention program described in this policy, in the form required by such agency. The School shall conduct a biennial review of this policy to determine its effectiveness, implement necessary changes, and to ensure that the disciplinary sanctions are consistently enforced. This policy shall be distributed in writing to all present and future employees.

## Policy 4.4: Harassment Policy

### SECTION 1. Unlawful Harassment

SECTION 1.1. In accordance with applicable law, the Board of Academy for Integrated Arts prohibits sexual harassment and harassment because of race, color, national origin, ancestry, religion, creed, physical or mental disability, marital status, age, or any other basis protected by law. Academy for Integrated Arts is committed to taking all reasonable steps to prevent harassment from occurring.

SECTION 1.2. Unlawful harassment because of sex, race, color, national origin, ancestry, religion, creed, physical or mental disability, marital status, age or any other protected characteristic includes, but is not limited to:

- Verbal conduct such as epithets, derogatory comments, slurs, or unwanted sexual advances, invitations, or comments.
- Visual conduct such as derogatory posters, photography, cartoons, drawings, or gestures.
- Physical conduct such as unwanted touching, blocking normal movement, or interfering with work directed at you because of your sex or any other protected basis.
- Threats and demands to submit to sexual requests in order to keep your job or avoid some other loss, and offers of job benefits in return for sexual favors.
- Retaliation for opposing, reporting or threatening to report harassment, or for participating in an investigation, proceeding or hearing conducted by an investigating agency.

SECTION 1.3. Prohibited harassment is not necessarily limited to the loss of a job or some other economic benefit. Prohibited harassment that impairs an employee's working ability or emotional well-being at work is considered a violation of this policy and will not be tolerated.

### SECTION 2. Reporting

SECTION 2.1. The Academy for Integrated Arts reporting procedure provides for an immediate, thorough and objective investigation of any harassment claim, appropriate disciplinary action against one found to have engaged in prohibited harassment, and appropriate remedies to any employee subject to harassment. An employee may have a claim of harassment even if he or she has not lost a job or some economic benefit.

SECTION 2.1.1. If any employee believes he/she has been harassed on the job, or is aware of the harassment of others, the employee should provide a written or verbal report as soon as possible to their most immediate supervisor, unless the immediate supervisor is a part of the grievance, in which case the next most immediate individual in authority. The report should include details of the incident(s), the names of individuals involved, the names of any witnesses, direct quotes when relevant, and any documentary evidence (notes, pictures, cartoons, etc.).

SECTION 2.1.2. All incidents of harassment that are reported will be thoroughly investigated and documented. Academy for Integrated Arts will endeavor to protect the privacy and confidentiality of all parties involved to the extent possible consistent with a thorough investigation.

SECTION 2.1.3. If the Board of Academy for Integrated Arts determines that harassment has occurred, it will take remedial action commensurate with the circumstances. Appropriate action will

also be taken to deter any future harassment. If a complaint of harassment is substantiated, appropriate disciplinary action, up to and including termination, will be taken.

### SECTION 3. Protection Against Retaliation

SECTION 3.1. Under federal law, retaliation against any employee by another employee or by the school for reporting, filing, testifying, assisting or participating in any manner in any investigation, proceeding or hearing conducted by the school or a federal or state enforcement agency is prohibited.

SECTION 3.1.1. Employees should report any retaliation to their most immediate supervisor, unless the immediate supervisor is a part of the grievance, in which case the next most immediate individual in authority.

SECTION 3.1.2. Any complaint will be objectively and thoroughly investigated in accordance with the investigation procedure outlined above.

SECTION 3.1.3. If a report of retaliation is substantiated, appropriate disciplinary action, up to and including discharge, will be taken.

### SECTION 4. Liability for Harassment

SECTION 4.1. Any employee, including any supervisor or manager, who is found to have engaged in unlawful harassment is subject to disciplinary action, up to and including termination from employment. An employee who engages in harassment may be held personally liable for monetary damages, should a lawsuit be filed.

### SECTION 5. Additional Enforcement Information

Section 5.1 Employees should be aware that the federal Equal Employment Opportunity Commission (EEOC) serves as a neutral fact finder to investigate and resolve harassment complaints in employment. Employees who believe that they have been harassed may file a complaint directly with the EEOC by contacting the nearest office of the EEOC:

Gateway Tower II  
400 State Ave., Suite 905  
Kansas City, KS 66101

[1-800-669-4000](tel:1-800-669-4000)

## Exhibit 1: Responding to Agency Complaints of Harassment

Once the EEOC or the state agency receives a complaint of harassment, the agency conducts an investigation into the complaint. As part of that investigation, the agency allows the employer to respond to the allegations of the complaint in the form of a position statement. The following are some guidelines for attorneys and human resources personnel to follow when responding to an agency complaint and formulating a position statement:

1. Read the Complaint or Charge Carefully:
  - Check the date of the alleged harassment with the date the complaint/charge was filed.
  - Determine if the employer is covered by the statute.
  - Check for fatal flaws in the charge/complaint.
2. Think Through Your Response and What You Need:
  - Decide which persons need to be interviewed.
  - Decide what documents would be helpful.
  - Decide what data would be helpful.
3. Obtain Information:
  - Interview managers or supervisors involved in the decision.
  - Interview employees whenever appropriate.
4. Evaluate the Charge or Complaint:
  - Does the school have a harassment policy in place that is distributed to all employees?
  - Can the school establish that the complainant did not take advantage of school procedures for reporting harassment?
5. Consider Settlement:
  - Both federal and state agencies welcome pre-investigation settlement.
  - Consider having a separate settlement agreement in addition to standard agency settlement agreement.
6. Prepare Your Position Statement:
  - Prepare a thorough explanation of what happened.
7. Know the Law:
  - Know what the standards are for establishing harassment.
  - Did the school have knowledge of the harassment?
  - What are the school's defenses?
  - What will the Agency look for?
  - Is there written documentation regarding the incident?
  - What relevant school policies are applicable?
  - Did the school have a harassment policy, and was it followed?
8. Consider Obtaining Extensions of Time:
  - Be aware that agencies frequently will grant additional time for an employer to respond to the charge/complaint.
9. The EEOC Investigation:
  - The EEOC may dismiss the charges once it receives the school's response.
  - The next step may be a request for additional information or for interviews.
  - The EEOC will dismiss the charge if there is no evidence of harassment.
10. If the EEOC makes a cause determination, it will invite the employer to engage in settlement discussions prior to any litigation.

## Exhibit 2: Harassment Investigation Checklist

1. Decide upon the order in which investigation interviews will be conducted.
  - Complainant
  - Alleged harasser
  - Coworkers and other witnesses
  - Supervisors of the complainant and alleged harasser
  - Second interview with the alleged harasser to discuss any factual questions as a result of the investigation.
2. Interview each witness separately in an office or room where the discussion will not be overheard by other witnesses, the alleged harasser, or any other unauthorized persons.
3. Two uninvolved managers should participate in the interview process. At least one of the investigating managers should be thoroughly familiar with harassment law and the School's harassment policies and procedures. One manager should be designated as the interviewer, and the other should act primarily as a witness and take notes of the discussion.
4. Before beginning the interview, explain the purpose of the interview by referring generally to recent complaints about the relationship between the complainant and the alleged harasser. Do not necessarily discuss the issue of unlawful harassment, so that you do not taint the witness' recollection of the events.
  - Emphasize that the School takes these charges very seriously and that the School is investigating these charges by interviewing all potential witnesses in compliance with School policy.
  - Explain that upon completion of the investigation, the School will attempt to determine what occurred, and will take appropriate action based on its determination.
  - Both the complainant and the alleged harasser should be advised that each will be apprised of the results of the investigation and any action taken.
  - Instruct each witness interviewed not to discuss the matters covered during the interview with any co-employee or the alleged harasser.
  - Explain to the witness that confidentiality is necessary to protect the integrity of the investigation and to ensure that the School receives trustworthy information in an atmosphere free from coercion.
  - Explain to the witness that School policy prohibits retaliation against anyone who complains of harassment or participates in an investigation, and that any acts of retaliation should be reported immediately
5. During the interviews:
  - Avoid leading questions.
  - Ask open ended, nonjudgmental questions.
  - Use investigation interview forms where appropriate.
  - Explain to all witnesses that retaliation will not be tolerated.
  - Avoid the appearance of impropriety or favoritism in conducting interviews.
  - Observe and record all physical and verbal reactions of witnesses.
  - Do not record conclusions regarding credibility.
  - Avoid judgmental statements or furthering of myths or stereotypes.
  - Explore the effect of alleged harassment on the complainant and any others affected (*i.e.*, psychological, emotional, physical, and financial).
6. Review the complainant's and the alleged harasser's personnel files.
7. Discuss investigation results and proposed action with the investigation team. This discussion should be limited to those with a need to know the results of the investigation, such as the

- complainant's supervisor, the alleged harasser's supervisor, and senior Human Resources department staff.
8. Consider credibility determinations. Factors include memory, perception, truthfulness, corroboration or lack of it, bias of witnesses, consistency, plausibility of accounts, and prior misconduct.
  9. Review all evidence collected.
  10. Make a decision.
  11. Consider appropriate remedial action: consider a verbal warning, written warning, denial of bonus or pay raise, suspension, demotion, termination, or some combination. Also, consider providing harassment training to the harasser and to all employees.
  12. Consider the following factors in determining the appropriate remedial action:
    - credibility of the complainant, alleged harasser, and other witnesses;
    - prior conduct, if any (*e.g.*, the alleged harasser);
    - prior discipline of the alleged harasser;
    - level of harassment, including the type and frequency of conduct;
    - alleged harasser's knowledge of school rules of conduct;
    - prior disciplinary "precedent" for identical, similar or analogous misconduct; and
    - public and employee relations issues.
  13. Review the harassment investigation and findings.
    - Was the school harassment policy adequate?
    - Were the employees aware of the terms of the harassment policy?
    - Was the harassment complaint procedure adequate?
    - Did the investigator uncover other issues which need to be addressed?
  14. Implement changes to the harassment policies and procedures where appropriate.

## Policy 4.5: Judicial, Military Duty, Voting Leave, Leave, and Religious Leave Policy

### SECTION 1. Purpose of Policy

SECTION 1.1. The purpose of the policy of the Board of AFIA is to outline employee's rights regarding leave for judicial, military, voting, and religious reasons.

### SECTION 2. Types of Leave

SECTION 2.1. Judicial Leave - All Academy for Integrated Arts employees shall be allowed a leave of absence without loss of pay and without deduction of any amounts otherwise received as compensation for service as an employee for the purpose of attending jury duty or a judicial proceeding in response to a subpoena or other court order or process arising out of the employee's duties as an employee of the school.

Employees who serve as jurors shall not have the jury leave deducted from sick or personal leave, and no employee utilizing jury leave shall be required to pay the cost of employing a substitute to serve in his/her absence. Employees who qualify for this leave may retain juror compensation.

SECTION 2.2. Military Duty - All Academy for Integrated Arts employees will be paid for a maximum period of 18 working days for ordered military duty. Applicable federal and state laws will be followed.

SECTION 2.3. Voting Leave – An employee registered to vote in Missouri may take three hours off work to vote if there are not three consecutive hours when the polls are open when the employee is not required to be at work. An employee must request this leave prior to the day of the election and AFIA reserves the right to specify the three-hour period in which the employee may leave work to vote.

SECTION 2.4. Religious Leave - Leave for religious holidays may be granted to benefits-eligible employees. Leave for religious holidays may not exceed three days per work year. The leave should be made up by the employee at a time mutually agreed upon by the employee and the School Leader but shall not be deducted from sick or personal leave

### SECTION 3. Notice

SECTION 3.1. Employees shall provide in writing the Executive Director with a minimum of (two weeks) notice, or in the case of judicial duty, as soon as practicable. Notification should include the reason for the request for leave, the date(s) if known, and a copy of any supporting documentation such as a jury summons.

## **Policy 4.6: Employment Status: At-Will Employment Policy**

SECTION 1. Employment Status.

SECTION 1.1. Employees without an express, written employment contract with Academy for Integrated Arts are considered at-will employees.

SECTION 1.2. Nothing contained within these policies is an employment contract, nor do the AFIA board policies guarantee any fixed terms or conditions of employment for at-will employees.

SECTION 1.3. Academy for Integrated Arts shall follow all requirements of state law should termination be necessary.



## Policy 4.7: Professional Personnel Hiring and Recruitment Policy

### SECTION 1. Authority to Hire

SECTION 1.1. The Governing Board shall approve through formal resolution or through an approved budget all positions for employment.

### SECTION 2. Recruitment.

SECTION 2.1. All public announcements for positions and vacancies shall assure applicants of nondiscrimination on the basis of race, color, national origin, sex, age, religion, handicap, or any other characteristic protected by law. Public announcements shall include only the following information: title of the position, full- or part-time status, salary range, job description, certification requirements, and start date.

SECTION 2.2. All job announcements for all certificated positions shall be published on MO REAP and the school's website.

SECTION 2.3. Public notice shall be provided for no less than two weeks prior to hiring of a position.

SECTION 2.4. The School leader or Governing Board may elect to hire a qualified internal candidate in lieu of, or in addition to, publicly posting the position.

SECTION 3. Qualifications: The Academy for Integrated Arts shall endeavor to hire the most highly qualified individual to execute the functions of the posted position. The Academy for Integrated Arts will give strong consideration to the following qualifications:

1. Advanced degrees;
2. High academic achievement;
3. Experience in a charter school setting;
4. Competency in the use of technology that would enhance the instructional program;
5. Demonstrated leadership potential;
6. Demonstrated ability and/or desire to work with students from demographic backgrounds the Academy for Integrated Arts serves;
7. Experience with community-based and/or parental involvement activities;
8. Exemplary written and oral communication skills;
9. Demonstrated effective management and instructional practices;
10. Professionalism in demeanor and appearance;
11. National Board Certification;
12. Missouri Professional Certification or eligibility for such; and
13. Willingness to work with athletics and extra-curricular activities.

This profile is not all-inclusive and may change depending on the school's needs at the time of hire. The Board's ultimate goal is to attract and retain highly competent individuals who share the school's mission and who will provide the best educational opportunities possible for our students.

## **Policy 4.8: Personnel Evaluations Policy**

SECTION 1. Observations and Evaluations: AFIA adopted the Missouri Model Evaluation System in November 2015. All certified staff evaluations are derived from the Missouri Model Evaluation System.

SECTION 1.1. The Executive Director shall be formally evaluated by the Governing Board on an annual basis using the Missouri Model Evaluation System.

SECTION 1.2. Each certified staff member shall be formally observed and evaluated by the Principal or Executive Director on at least an annual basis using Missouri Model Evaluation System.

SECTION 1.3. Each classified staff member shall be formally evaluated by the Executive Director or Principal on at least an annual basis using an established evaluation instrument adopted by the Governing Board.

SECTION 1.4. The Evaluator shall provide to the Employee a copy of the observation rating, notes, and any other documentation obtained or used during observation or evaluation.

SECTION 1.4.1. The Employee shall have the right to acknowledge acceptance of the evaluation or to dissent and provide written commentary related to the dissent; however, the document, regardless of acknowledgment or dissent, shall remain a part of the staff member's personnel record throughout the duration of employment.

SECTION 1.4.2. Employees may elect to follow the school's grievance policy related to dissent of any evaluations. The decision of the Governing Board or its designated committee is considered final.

## Policy 4.9: Employee Dress Code Policy

### SECTION 1. Purpose of Employee Dress Code

SECTION 1.1. The purpose of establishing an employee dress code is to provide an example of appropriate attire that:

- Clearly distinguishes staff from students;
- Models modesty and professionalism; and
- Is functional given the nature of the position

SECTION 1.2. All staff shall dress in a manner and style in accordance with administrative regulations set forth by the School leader.

### SECTION 2. Dress Code

SECTION 2.1. An employee who is inappropriately dressed, in the opinion of the School Leader, may be sent home and required to return to work in acceptable attire. The employee shall not be paid for time away from work.

SECTION 2.2. Appropriate dress includes but is not limited to:

- Business suits/coordinated pants suits
- Collared shirts with and without ties
- Skirts
- Dresses
- Slacks
- Sweaters, blouses, knit tops, jackets
- Sweatshirts and tee shirts with school-related insignia
- Appropriate shoes
- Attire in accordance with the environmental requirements for specific job assignments

SECTION 2.3. To ensure that employees are professionally attired, the following are considered unacceptable:

- Shorts (except for physical education)
- Jeans, including overalls, of any color (acceptable only for special projects or activities or related to specific job assignments)
- Immodest dress such as dress which is too short (more than three inches above the knees) or tight or otherwise revealing
- Oversized tee shirts and undershirts
- See-through clothing
- Clothing that exposes the midriff
- Extremely low-cut dresses and blouses
- Exercise/jogging suit
- Other attire as deemed inappropriate by the School Leader

SECTION 2.4. The AFIA Governing Board recognizes that there are occasions when individuals may need to wear specific garb due to medical reasons or as part of a bona fide personal religious practice. When such is the case, the employee shall provide documentation to the school leader of

the medical necessity or the bona fide personal religious practice that gives rise to the need for deviation from the policy.

SECTION 2.5. In addition, some job functions necessitate attire that may otherwise be considered “inappropriate” (i.e., Physical Education teachers may wear exercise attire). Discretion of these instances is exercised by the school leader.

## Policy 4.10: Staff Complaints and Grievances Policy

### SECTION 1. Intent of the Policy

SECTION 1.1. The purpose of this policy is to provide a process for employees or applicants to reach solutions to problems, disputes, or controversies at the lowest administrative level, as fairly and as expeditiously as possible.

SECTION 1.2. This policy also addresses employees or applicants who allege discrimination or harassment on the basis of age, gender, race, color, religion, national origin, disability, or any other basis expressly prohibited by law.

### SECTION 2. Definitions

SECTION 2.1. Complaint - A complaint means any claim or grievance by an employee who is affected in his or her employment relationship by an alleged violation of applicable statutes, policies, rules, regulations, or written agreements with which the Board is required to comply. In accordance with this policy, a complaint may also be filed by a job applicant.

SECTION 2.2. Employee - Employee shall mean any person hired by the Board to perform services either full or part-time.

SECTION 2.3. Days - Days shall mean working days exclusive of Saturday, Sunday, or official holidays unless otherwise noted.

SECTION 2.4. School Leader - Employee possessing that degree of administrative authority.

SECTION 2.5. Parties in Interest - Any persons involved in the processing and investigation of the complaint.

SECTION 2.6. Complaint File - A file maintained by the (School leader or other title) containing documents relevant to the complaint. This shall be separate from the personnel file and shall be open to parties in interest only.

SECTION 2.7. Board - The Governing Board of (charter school name).

SECTION 2.8. Notification - Means delivery in person to the party entitled to notification, or deposit in the United States Mail, certified mail, return receipt requested, to the last known address of the party notified.

### SECTION 3. Procedure for Notice, Hearing Rights, Evidence Representation, Decisions, and Record

SECTION 3.1 This complaint and grievance procedure is applicable to any claim by any employee or applicant of (charter school name) who is affected in his or her employment relationship by an alleged violation, misinterpretation, or misapplication of statutes, policies, rules, regulations, or written agreements with which the school is required to comply.

SECTION 3.2 The Board will ensure that a complaint is processed as expeditiously as is practicable. The initial complaint should be made in writing and should clearly state that the complainant wishes to utilize the Complaints and Grievances Policy, the nature of the complaint and specific statute, policy, rule, regulations, or written agreements that have allegedly been violated. The written request should be received by the charter school's office via certified mail at the following

address (insert school's address).

SECTION 4.2. The complainant and all parties in interest shall be adequately notified of the time and place of the initial meeting and any appeal of the initial decision in writing by hand delivered or certified mail.

SECTION 4.3. The complainant and the individual(s) accused of the violation shall be entitled to an opportunity to be heard, to present relevant evidence, and to examine witnesses.

SECTION 4.4. The Governing Board may appoint a member of the State Bar to serve as law officer who shall rule on all issues of law and other objections, but such attorney shall not assist in the presentation of the case for either party.

SECTION 4.5. At each level, an accurate record of the proceeding must be kept by mechanical means and all evidence shall be preserved and made available to the parties involved; all cost and fees shall be borne by the party incurring them unless otherwise agreed upon by the parties; except that the cost of preparing and preserving the record of the proceedings shall be borne by the Governing Board; provided however, the cost of transcribing the transcript of evidence and proceedings before the Board shall be borne by the party requesting same, and all costs of the records on appeal to the superior courts and appellate courts shall be paid by the party required to do so by the laws relating thereto.

SECTION 4.6. The overall time frame from the initiation of the complaint until rendition of the decision by the Governing Board and notification thereof to the complainant shall not exceed thirty (30) days. In no instance shall there be more than ten (10) calendar days between the most recent alleged act about which a complaint may be filed and the first written notice of complaint is received nor shall there be more than ten (10) calendar days between the decision at any level and the date the appeal to the next level is received.

SECTION 4.7. Decisions at each level shall be in writing and dated. Each decision shall contain findings of fact and reasons for the particular resolution reached. The decision reached at each complaint level shall be sent to the complainant by certified mail or hand delivered by a person designated by the (School Leader or other title) within twenty (20) business days of the hearing.

SECTION 4.8. The decision at each level shall be delivered to the complainant and the affected parties by a person designated by the (School Leader or other title) either by (1) being hand delivered or (2) being deposited in the U.S. Mail (certified mail, return receipt requested). Notice to the complainant shall be deemed to have been made on the date of hand delivery or on the date of deposit in the U.S. Mail by certified mail, return receipt requested to the address stated in the complaint or, if not contained in the complaint, to the last known address of the complainant on file with the Governing Board.

SECTION 4.9. If the complainant is dissatisfied with the review of the supervisor's decision, he or she must forward an appeal to the (insert title) within ten (10) working days. The appeal shall be in writing and include the reason(s) for the appeal. The (insert title) will notify the School Leader or his/her designee that a timely appeal has been received. A copy of all complaints involving appeal reviews will be forwarded to (insert title).

SECTION 4.10 The complainant and the individual(s) alleged to be in violation are entitled to the presence of an individual of his/her choice to assist in the presentation of the complaint at the Governing Board level. At the Board level nothing shall prevent the Board from having an attorney present to serve as the law officer who shall rule on issues of law and who shall not participate in the presentation of the case for the School Leader or the complainant.

SECTION 4.11. The Board, when hearing an appeal from the initial hearing, shall hear the complaint de novo. The complainant cannot present additional evidence at the Governing Board level of the complaint process, unless it is determined by the School Leader presiding over the complaint that such evidence is relevant to the issues presented at the initial hearing and such evidence was either not made available by the administration or not discoverable by the complainant or unless it is presented and received in writing to the person presiding over the complaint at least five (5) days prior to the set date for the Governing Board hearing. A committee of the board will conduct the appeal proceeding within fifteen (15) working days and, within twenty (20) working days after the conclusion of the proceeding, will render a final decision.

SECTION 4.12. The time limits specified in this complaint procedure will be observed and applied strictly and will not be extended without the prior written consent of the employee and the applicable level of supervision responsible for the review. If an employee fails to comply with any time limit, the complaint shall be deemed automatically withdrawn and the proceeding terminated.

#### SECTION 5. Prohibited Reprisal Provision

SECTION 5.1. No reprisals of any kind shall be taken by the Board or by any member of the administration against any complainant as a result of participation in the complaint process.

#### SECTION 6. Collection of Information

SECTION 6.1. Nothing in this policy shall be construed to limit any other fact finder or decision maker from using any equitable means available to establish the truth or the circumstances pertinent to the complaint, provided that the complainant shall have an opportunity to respond to any information considered by the decision maker in reaching a conclusion.

## Policy 4.11: Sick Leave and Personal Leave Policy

### SECTION 1. Sick Leave

SECTION 1.1. Full-time employees (twenty or more hours per week) of the school are eligible for up to 12 days per school year of sick or personal leave. Employees paid on a part-time, seasonal, or temporary basis are not eligible for sick leave benefits.

SECTION 1.3. Employees working less than 40 hours per week will earn a pro-rated share of sick leave.

SECTION 1.4. Should an employee not complete a contract, all sick leave days used but unearned will be deducted from the last salary payment. An employee who is absent due to sick leave after tendering resignation will have a resignation effective date as of the last day actively at work unless a physician's statement of disability is provided.

SECTION 1.5. Certified employees who are absent from work may remain on the requisition as long as the teacher is in-state pay status. However, that person will receive full pay for the remainder of unused sick leave. An employee will not be on payroll thereafter unless actually present.

SECTION 1.6. Upon the approval of the Principal, an employee may utilize sick leave for the following reasons:

- absence due to illness or injury;
- absence due to exposure to contagious disease necessitated to protect the health of others who might be endangered by his/her attendance on duty;
- absence due to an illness or death in the employee's immediate family. Immediate family includes spouse, children, mother, father, brothers, sisters, grandparents, in-law equivalent of the above and any relative residing in the employee's home.

SECTION 1.7. Employees absent for any reason other than approved reasons, or absent after sick leave has been exhausted, shall be deducted at their daily rate of pay for each day's absence not covered by leave or unapproved.

### SECTION 2. Personal Leave

SECTION 2.1. Per fiscal year, an employee may use up to a maximum of (two) days of sick leave for personal or professional reasons if prior approval of their absence is given by the Principal.

SECTION 2.2. No grant of approval for an absence permitted under this policy section shall be conditioned upon disclosure of the specific purpose for which such absence is sought, nor shall any such grant of approval be withheld or denied because of the failure or refusal of the employee to disclose the specific purpose for which an absence is sought, provided that the employee may be requested to state whether the absence is sought under the category of "personal" or "professional" absence.

### SECTION 3. Adoption Leave



SECTION 3.1. Employees may use sick leave during the first six (6) calendar weeks of adoption leave. Certification from the adoption agency or the attorney who arranges the adoption is required.

#### SECTION 4. Vacation for 12-Month Employees

SECTION 4.1. Annual employees will accumulate vacation on a monthly basis with the number of days earned calculated by using the total vacation days earned per year divided by twelve. An employee must be at work or on paid leave 13 days within a month to earn vacation leave for that month.

SECTION 4.1.1. For vacation purposes, the length of employment will be determined on the anniversary date of employment.

SECTION 4.2. Vacation leave that is unused may not be carried over to the next year.

SECTION 4.3 All vacation leave is subject to approval by the Executive Director.

SECTION 4.4. Earned vacation may be used in order to extend sick leave.

SECTION 4.5. Holidays for Academy for Integrated Arts twelve-month employees:

#### No. of Working Days Holidays

- (1) New Year's Day
- (1) Martin Luther King's Birthday
- (1) Spring Break
- (1) Memorial Day
- (1) Independence Day
- (1) Labor Day
- (2) Thanksgiving
- (7) Winter Holidays (subject to vary yearly)

SECTION 4.6. The Board will not grant extended leaves of absence.

## Policy 4.13: Communicable Diseases Policy (note also refer to Policy 2.11)

### SECTION 1. Purpose of Policy

SECTION 1.1. The Governing Board intends to ensure that no individual has potentially harmful exposure to infection or diseases.

### SECTION 2. Definitions.

SECTION 2.1. **Communicable disease:** a disease that can be directly or indirectly transmitted from one person to another.

SECTION 2.2. HIV infection: an infection in which the human immuno-deficiency virus is present.

### SECTION 3. Protections

SECTION 3.1. No student shall be denied access to nor shall an otherwise qualified individual be denied employment in the educational programs of the school solely because he or she is infected with a communicable disease or HIV Infection.

SECTION 3.2. A student or employee who is infected with a communicable disease or HIV infection will remain in his or her educational or employment setting unless he or she presents a significant risk of contagion as determined by the Governing Board after consultation with the student's or employee's physician, public health official knowledgeable about the disease and/or the Board's physician if in the judgment of the School Leader it is necessary to consult a private physician.

### SECTION 4. Prevention of Transmission

SECTION 4.1. Each year, the school leader shall provide educational opportunities and review of this policy for all employees to become informed concerning transmissions of communicable disease and HIV infection.

SECTION 4.1.1. Education and policy review shall include procedures to reduce the risk of transmitting HIV infection as well as other communicable diseases, including precautions to be taken in handling bodily fluids and blood whenever necessary. Handling blood and body fluids shall be in a manner consistent with the Center for Disease Control's Universal Precautions for Handling Blood and Body Fluids.

### SECTION 5. Identification of Potential Risks

SECTION 5.1. Whether or not an infected individual presents a significant risk of contagion shall be determined based upon reasonable medical judgment given the state of medical knowledge about:

- The nature of the risk; i.e., how long the disease is transmitted;
- The duration of the risk; i.e., how long the carrier is infectious;
- The severity of the risk; i.e., the degree of potential harm to third parties; and
- The probability that the disease will be transmitted and will cause varying degrees of harm.

SECTION 5.1. Once the student's or employee's medical condition has been determined, the School Leader shall consult with the student's or employee's physician, a public health official

knowledgeable about the disease and/or a physician employed by the Governing Board at the option of the Board in order to determine whether reasonable accommodations will allow the student to perform in the classroom or other educational setting or the employee to meet the essential functions of his or her job.

SECTION 5.2. If an accommodation that does not impose undue financial hardship or administrative burdens can be made, then neither student nor employee shall be denied the right to participate in AFIA programs or to be employed by the Board.

SECTION 5.3. In order that the Board may have time to obtain a reasonable medical judgment concerning the student or employee who is infected by a communicable disease, the School Leader is authorized to remove the infected student or employee from Board programs or employment for a period not to exceed ten days during which time the Board shall make a decision as to whether the student or employee can be accommodated and does not pose a significant risk to others.

SECTION 5.4. The student or employee shall be excluded only if the Board determines after consultation as provided above that the communicable disease is of such nature or at a stage that the individual should not be in an educational setting.

#### SECTION 6. Privacy Rights

SECTION 6.1. Neither the Board nor its employees shall disclose medical information about a student or employee with HIV infection or other communicable disease without the consent of the employee or the student or his or her parent or guardian, whichever is applicable, or only as required by law or court order.

## **Policy 4.14: Employee Information Sharing Policy**

### Section 1. The School

Leader or his/her designee shall be permitted to respond to requests for information from public schools about former employees.

### Section 2. Information Sharing

Section 2.1. The School shall provide information about a former employee to another public school upon request.

Section 2.2. The School shall share the following information: information regarding any violation of the published regulations of the Governing Board of the School by the former employee if such violated related to sexual misconduct with a student and was determined to be an actual violation by the Governing Board after a contested case due process hearing conducted pursuant to board policy; the results of a children's division investigation if the investigation involved allegations of sexual misconduct with a student and the children's division reached a finding of substantiated.

Section 3. All current and potential employees shall be given notice of this policy upon its adoptions.