



# JOHN DEWEY

L E A R N I N G   A C A D E M Y

## Student / Parent Handbook 2023-2024

500 E. Sunflower Blvd.  
Ozawie, Kansas 66070  
(785) 876-2357 Direct Line  
(785) 876-2214 Keystone  
Facebook: John Dewey-Jdla  
Twitter: @jdla\_KLS



### **The Guidance Center**

**Emergency Services are available 24-hours a day, 7 days a week** for students requiring immediate attention. Off-site pre-hospitalization screening assessments and after-hours coverage are available throughout the Center's coverage area of Atchison, Jefferson and Leavenworth counties in Kansas via the 24-Hour Emergency number.

The Center's Emergency link will contact a clinician from the Center to assist you. Walk-in crisis services are available Monday through Friday from 9 am to 2 pm at the [Leavenworth location](#), and as needed at the [Atchison location](#) and [Oskaloosa location](#).

### **24 Hour Crisis Line**

**1-888-260-9634**

<b>A. General Information.....</b>	<b>4</b>
1. Mission Statement	4
2. Goal	4
3. Program Components	4
4. The Guidance Center (TGC)	5
5. School Day	5
6. Parent/Guardian Communication	5
7. Parental Involvement	5
8. Arrival/Departure	5
9. Visitors	6
10. Closings Due to Inclement Weather	6
11. Telephone Calls	6
12. Academic Progress Reports	6
13. Grading Scale*	6
14. Graduation Requirements	7
a. Course Requirements	7
15. Early Graduation	7
<b>B. Attendance Policy.....</b>	<b>7</b>
<b>C. Breakfast/Lunch.....</b>	<b>9</b>
<b>D. Technology.....</b>	<b>10</b>
1. Computer Use	10
2. Children's Internet Protection Act (CIPA) PLAN	10
3. Use of Video Cameras	10
<b>E. Discipline.....</b>	<b>10</b>
1. Bus Policy	11
2. Suspension Procedures	11
<b>F. School Safety and Security.....</b>	<b>11</b>
1. Drug-Free Schools	11
2. Electronics	12
3. Emergencies	12
4. Student Entrance	12
5. Searches of Property	12
6. Searches of Students	12
7. Interrogation and Investigations	12
8. Weapons	13
<b>G. Policy.....</b>	<b>13</b>
1. Religious Objections to Activities	13
2. Complaints About School Rules	14
3. JDLA Bullying Plan	14
4. Sexual Harassment	15
5. Racial and Disability Harassment	15
6. Student Dress Code and Personal Appearance	16
7. School-Sponsored Student Publications	17
8. Vocational or Other Work Experience	17

<b>H. Health.....</b>	<b>17</b>
1. Communicable Diseases	17
2. Student Accidents and Health Emergencies	17
3. Supervision of Medications	18
4. Student Self-Administration of Medications	19
a. Student Eligibility	19
b. Authorization Required	20
c. Employee Immunity	20
d. Waiver of Liability	20
e. Additional Requirements	20
<b>I. FERPA.....</b>	<b>21</b>
1. Release of Student Records	21
a. Directory Information	21
2. Release of Student Records	23
3. Student Privacy Policy	24
<b>J. Emergency Safety Interventions.....</b>	<b>25</b>
1. Prohibited Types of Restraint	25
2. Use of Emergency Safety Interventions	25
3. ESI Restrictions	25
4. Use of Seclusion	26
5. Training	26
6. Notification and Documentation	26
7. Law Enforcement	27
8. Documentation of ESI Incidents	27
9. Reporting Data	28
10. Parent Right to Meeting on ESI Uses	28
11. Local Dispute Resolution Process	29

## Purpose

**Welcome to the John Dewey Learning Academy!** (JDLA) The staff here are uniquely trained to provide a therapeutic approach to meet the diverse social/emotional and academic needs of qualified students K-12 from the following districts in Northeast Kansas:

- USD 338 **Valley Falls**
- USD 341 **Jefferson West**
- USD 339 **Jefferson County North**
- USD 341 **Oskaloosa**
- USD 342 **McLouth**
- USD 343 **Perry-Lecompton**
- USD 377 **Atchison County Community**
- USD 449 **Easton**

In addition to the information below, all students remain accountable to the student handbook and school policies in their district of enrollment as well. *This will help facilitate a smooth transition when students are prepared to return.*

## Mission Statement

The mission of JDLA is to provide an authentic, nurturing, and academically challenging learning environment for students that struggle in a comprehensive school setting. The program promotes enthusiasm for learning, critical thinking/problem-solving skills, and social-emotional resilience in the school and the community.

## Goal

The core pedagogy employed to achieve this mission is *service learning*, where students obtain standards-based educational concepts while performing authentic tasks that fulfill identified needs in the community. Our goal for each student is to provide positive age-respectful experiences that connect them to their communities and help them visualize the successful contributions they will make following graduation.

## Program Components

JDLA is committed to providing the following for all students:

- A safe and supportive learning environment.
- Learning opportunities aligned with the student's current achievement level and interests.
- Challenging standards-based academic tasks allow students to progress appropriately in light of their circumstances.
- Explicit instruction in the social-emotional skills needed for students to be successful in all contexts throughout their day.

## **The Guidance Center (TGC)**

John Dewey Learning Academy is a comprehensive academic and mental health program for students in Jefferson County and Atchison County Community Schools, and Pleasant Ridge in Easton. In this program, students requiring specialized mental health and special education services can continue their education in a supportive environment while receiving consistent support for their emotional needs.

To ensure access to Guidance Center support during the school day, you and your child must enroll with TGC. Staff will review with parents the benefits of participation and explain the programs available to participants in the school and community.

## **School Day**

The school day will start at 7:45 am and end at 2:45 pm.

## **Parent/Guardian Communication**

JDLA staff believe timely and consistent communication is the key to success! The following guidelines help assure timely responses:

- Because student service is our priority, direct contact is limited to before or after school
  - a) 7:30 AM - 7:45 AM
  - b) 2:45 PM - 3:30 PM
- Please contact the school secretary at (785) 876-2357 to schedule an appointment.
- Emails will be responded to as soon as possible during work hours.
- For consistency, paraprofessionals will refer all student performance or behavior questions to their supervising teachers.

## **Parental Involvement**

Active participation of parents/guardians is strongly encouraged! Please contact your student's teachers or the building administrator for details.

## **Arrival/Departure**

Students arriving late should report to the office and sign in before class. If the student departs before the school day ends, they must report to the office and verify parental/guardian approval. A student who arrives late or leaves early without following proper procedures will not be excused, even if the parent/guardian calls in later. Law enforcement must be contacted if a student leaves the campus during the school day without permission.

## Visitors

All visitors must report to the Keystone receptionist at the main entrance and sign in. Keystone personnel will notify JDLA, and staff will escort parents to their destination. Parents/Guardians are always welcome at JDLA and may visit any time. An appointment must be scheduled before the visit to visit the classroom and common area settings.

## Closings Due to Inclement Weather

Should it become necessary to close school due to inclement weather, the announcement will be broadcast by WIBW-TV 13, KTKA-TV 27, and WIBW radio stations 580 AM, 94.5 FM, and wibw.com. JDLA follows the Oskaloosa District USD #341 for school closure during inclement weather.

If your student's enrollment district is closed due to inclement weather, your student is to stay home as district transportation would not be available.

If weather conditions in your area make it unsafe to travel, please call the school and notify us of your concern. **Your child's safety is our #1 priority!**

## Telephone Calls

JDLA phones must remain open for school business. Therefore, the use of phones for personal reasons will only be allowed with prior approval by the building administrator. Students will be allowed to call their parents upon request. PLEASE talk to staff before coming and picking up your student. We allow students to call their parents, but that does not mean they should leave school. A staff member will speak with you if your student needs to be picked up. Students will always be allowed to make a call in an emergency. Just speaking to a parent and their encouragement often results in students returning to class.

## Academic Progress Reports

Student progress reports will be mailed/emailed to parents quarterly. Semester grade cards will be mailed at the end of each semester to the student's home address or alternate address if the parents request. A request for an alternative address must be in writing and placed in the student's school file.

## Grading Scale\*

Grade	Percentage	Grade Points
A	90-100%	4.0

B	80-89%	3.0
C	70-79%	2.0
D	60-69%	1.0
F	Below 60%	0.0

## Graduation Requirements

John Dewey Learning Academy students entering the 9th grade and above will be subject to the 24 credit requirement unless personal circumstances and Kansas statute allow an alternative.

A student's IEP team may also determine graduation requirements. The IEP team will work together to determine graduation requirements when a student transitions back to the district of enrollment.

### Course Requirements

- English - **4 credits**
- Science - **3 credits**
- Social Studies - **3 credits**
- PE/Health - **1 credit**
- Fine Art - **1 credit**
- Practical Art - **1 credit**
- Electives - **8 credits**

## Early Graduation

A JDLA student may graduate when he/she has met JDLA graduation requirements. Prior approval of the district's Superintendent and Board of Education of enrollment is required. **The parent and student are responsible for requesting early graduation from your enrollment district.** All districts require prior permission for early graduation.

## Attendance Policy

**The school is a better place when you are there!** Attendance is aligned with academic success, so plan to be there each scheduled school day.



**To be excused, the parent/guardian must call the JDLA Office on the day of the absence. Leaving a message is fine. Calling parents when a student is absent is required to ensure the parent knows their student is not in attendance.**

Absences are categorized in 1 of 4 ways: 1) *Parent Excused*, 2) *Professionally Excused*, 3) *School Excused*, and 4) *Unexcused*. Parental approval of an absence does not necessarily excuse the absence; the Principal has the final determination if an absence is excused.

Parents can excuse absences for the following reasons:

1. **Personal illness** - short or long-term illness (if verified by a doctor, this would be a Professionally Excused Absence).
2. **Family crisis** - a death, family member illness, or service member deployed.
3. **Extended absences** (i.e., family vacations) - should be requested by the parents or guardian, and prior arrangements have been made in preparation for the absence as defined in the Student Handbook
4. **Religious observances.**

*\*The list is not exhaustive. Call the building administrator if you have any questions.*

Notification Procedures for Parents/Guardians:

- **Must notify the office by phone on the day of absences.**
- If parental contact is not established by 10:00 on the day of absence, JDLA will attempt to contact the parent/guardian.
- Parents may send a signed, written note within 24 hours about why the student was Absent. Excuses will be verified by staff.
- The absence will be classified as unexcused if parental contact is not established by phone or note.

**Note:** *Students who are not Professionally Excused (see below) could lose their ability to participate in extracurricular activities that day at JDLA and in their district of enrollment.*

**Professionally Excused Absences** are those validated by a professional for medical or legal reasons (i.e., a doctor's appointment or court appearance). The Principal or designee may declare absences as *professional* under these circumstances.

*Professionally excused* absences may be excused when calculating the limit for participation in extracurricular activities (see *Truancy* below). The note must be a signed original or an email or fax from the doctor's office to be accepted.

**School Excused Absences:** Pre-approved college visits or district extra-curricular activities. These school absences do not count toward the 90% Minimum Attendance Requirement (see below).

**Unexcused Absences** are absences that don't align with the criteria outlined above.

Parents may excuse their student ten times in the school year; after the 10th absence, the student will be considered unexcused absent unless they have a professional excuse. PLEASE always get doctor or court notes. Districts require they are sent absent reports every semester. Individual districts file truancy when needed.

## ***TRUANCY***

A student is truant when not in attendance when it is required by law. A student is truant if he/she is under 18 and has:

1. A total of three (3) consecutive unexcused absences
2. Five (5) accumulated unexcused absences in one semester
3. Seven (7) accumulated unexcused absences in a school year.

Absences shall be reported to each student's school district of enrollment.

### *Truancy Law*

If truancy occurs, the student will be referred to the juvenile court and the Department for Children and Family Services (DCF). The building principal is the school official designated by the Board of Education to determine whether an absence is unexcused.

## **Breakfast / Lunch**

Food Service 2023-2024

All students will receive breakfast and lunch at no cost for the 2023-24 school year.

# **Technology**

## **Computer Use**

### Privacy Rights

Employees and/or students shall not expect privacy when using service center e-mail or other official communication systems. Any email, computer application, or information on service center computers or computer systems is subject to monitoring by the administration.

# Children's Internet Protection Act (CIPA) PLAN

The Northeast Kansas Educational Service Center #608 (Interlocal) plan shall, at a minimum:

- Install blocks or Internet filters to limit access by both minors and adults to child pornography or materials that are obscene, inappropriate or harmful;
- Monitor the online activities of minors
- Address issues related to the safety of minors when using e-mail, chat rooms, and other electronic communication
- Hinder unauthorized access (hacking) and other unlawful online activities by minors;
- Prevent unauthorized disclosure of personal information regarding minors.

## Use of Video Cameras

The Northeast Kansas Educational Service Center #608 may use video cameras to monitor student activity.

Video cameras may be used to monitor students riding in Interlocal vehicles and to monitor student behavior in or around any Interlocal facility.

Videotapes that are records of student behavior shall be secured in a locked file until the files are either deleted or turned over to law enforcement. The file shall be considered a student record and subject to current law for releasing student record information.

Video recordings used to monitor individual students in the hallways or specific locations in the building shall be considered student records and subject to current law for the release of student record information.

## Discipline

### Student Conduct and Discipline Philosophy

We believe all behavior has a communicative intent. Therefore, every attempt will be made to use a problem-solving process to support the student when challenging behavior is exhibited. This process can be done through the IEP, 504, or student intervention team. The student will be provided interventions and opportunities to build on lagging skills when possible. Each individual has the right to an education; however, that does not mean the individual is entitled to special rights or privileges that interfere with the educational pursuits of others.

### Disciplinary Responses

The goals of administering disciplinary consequences are:

- To educate the offender about appropriate behavior.
- To prevent the reoccurrence of misconduct by the offender.
- To provide healing within the community.
- To maintain acceptable standards of behavior within the community.

### **Recommended Actions in Handling Code of Conduct**

The following possible actions are authorized to be taken in all cases of breach of school discipline regulations:

- Restorative Practices
- Partnering with Parents and Families.
- Behavior Contract
- Reprimand
- Detention
- Denial of Privileges, Exclusion from Class or Extra-Curricular Activities.
- In-School Suspension
- Out-of-School Suspension
- Home District Policy or Intervention.

Then analyze the setting events and function of the behavior and consider environmental adaptations to reduce the need for the behavior in the future.

## **Bus Policy**

All students are subject to the school district policy regarding safe transportation.

## **Suspension Procedures**

Within the boundaries of Section 504 or IDEA, a student may be suspended for reasons outlined in Kansas law. Suspension hearings shall be conducted by the Director of Special Education/designee, School Administration or other certificated employee, or committee of certificated employees of JDLA, or by any other hearing officer appointed by the board. Parent notification will be provided consistent with District policy.

## **School Safety and Security**

### ***Drug-Free Schools***

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

## ***Electronics***

**All electronic devices must be secured by JDLA staff upon entry into the building.** Students are prohibited from having electronic devices during the school day or while attending JDLA activities. Any exception to this rule during the school day must be given by the school administration. Exceptions to this rule are rare because of the potential disruption associated with electronic devices.

## **Emergencies**

JDLA will perform emergency drills as required per statute.

## **Student Entrance**

Students who attend JDLA must be screened before entering the building; this may be done with a metal detector. The students will be required to surrender all the items they brought with them to be secured by JDLA staff. JDLA is not responsible for lost or stolen items brought by students. The students will receive their items at the end of the day. Some exceptions would be tobacco, drugs, weapons, lighters, and other items as deemed by the administrator.

## **Searches of Property**

Principals are authorized to search property if there is reasonable suspicion that district policies, rules, or directives are being violated. In addition, all lockers shall be subject to random searches without prior notice or reasonable suspicion. All searches by the principal shall be carried out in the presence of another JDLA staff member.

## **Searches of Students**

Principals are authorized to search students if there is reasonable suspicion that district policies, rules, or directives are being violated. Students would not be asked to remove any articles of clothing to search by school authorities. Students can be asked to remove coats, sweatshirts, boots, and shoes, any item that covers a student, like a blanket. All searches by the principal shall be carried out in the presence of another JDLA staff member.

## **Interrogation and Investigations**

Building administrators, school security officers, or others designated by the executive director may conduct investigations and question students about violations of school rules, the student conduct code, or state or federal law. Unless otherwise provided, such investigators must not contact the student's parent, guardian, or representative before questioning. They may request law enforcement, school resource officer(s), or school security officer(s) for assistance in conducting the investigations.

## Weapons

A student shall not knowingly possess, handle, or transmit any object that can reasonably be considered a weapon at school, on school property, or at a school-sponsored event. This shall include any weapon, item used as a weapon or destructive device, or any facsimile of a weapon. Any item used as a weapon will be considered a weapon.

## Policy

### Religious Objections to Activities

A parent or guardian (or a student eighteen or older) may request that the student be excused from participating in activities for religious reasons. The parent, guardian, or adult student must complete the cooperative opt-out form for religious objections, stating the specific activity, the portion of the curriculum in which the activity exists, and the reasons for the request.

### Complaints About Discrimination

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

Any discrimination incident, including harassment, shall promptly be reported for investigation and corrective action by the building principal or district compliance coordinator. Any student or employee who engages in discriminatory conduct shall be subject to disciplinary action, up to and including termination from employment or expulsion from school.

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

Any student who believes that he or she has been discriminated against may file a complaint with the building principal, another administrator, the guidance counselor, or another certified staff member. Any school employee who receives a complaint of discrimination or harassment from a student shall inform the student of the employee's obligation to report the complaint and any proposed resolution to the building principal. If the building principal is the alleged harasser, the report shall be made to the districts

compliance coordinator. Any student complaint of discrimination shall be resolved under the district's discrimination complaint procedures in policy KN. The district prohibits retaliation or discrimination against any person for opposing discrimination, including harassment; for participating in the complaint process; or making a complaint, testifying, assisting, or participating in any investigation, proceeding, or hearing.

## Complaints About School Rules

Any student may file a complaint with the principal concerning a school rule or regulation as it applies to the student. The complaint shall be in writing, filed within 20 days following the application of the rule or regulation, and must specify the basis for the complaint. The principal shall investigate the complaint and inform the student of the resolution within ten days after the complaint is filed.

## JDLA Bullying Plan

**Bullying means** Any intentional gesture or any intentional written, verbal, electronic, or physical act or threat by any student, staff member, or parent towards a student or by any student, staff member, or parent towards a staff member that is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment that a reasonable person, under the circumstances, knows or should know will have the effect of:

- Harming a student or staff member, whether physically or mentally;
- Damaging a student's or staff member's property;
- Placing a student or staff member in reasonable fear of harm
- Placing a student or staff member in reasonable fear of damage to the student's or staff member's property.

Bullying also includes **cyberbullying**. *Cyberbullying* means bullying using any electronic communication device, including, but not limited to, e-mail, instant messaging, text messages, blogs, mobile phones, online games, and websites.

Additionally, bullying means any form of intimidation or harassment prohibited by the board of education of the school district in policies concerning bullying adopted under K.S.A. 72-6147 or subsection (e) of K.S.A. 72-1138 and amendments to it. USD 608 will not tolerate these actions by students, staff, or parents.

For this plan and its authorizing policies, "parent" includes a biological, adoptive, or step-parent; guardian; custodian; or other person with authority to act on behalf of a student.

Similarly, a "staff member" means any person the district employs. Any act of bullying by an individual student or group of students towards a student or staff member of the district is prohibited on or while utilizing school property, in a school vehicle, or at school-sponsored activities, programs, and events. This policy applies to students who directly engage in the

act of bullying, to students who, by their behavior, support another student's act of bullying, and to all staff members and parents who engage in similar behaviors.

Training concerning identifying, reporting, investigating, and preventing bullying behaviors as outlined in district policies and this plan shall be provided to students and staff members using district resources available for such purpose and shall be provided through school assemblies, staff development, or other appropriate forums at least {annually/biannually}.

No teacher, administrator, or school district employee shall engage in, permit, or tolerate bullying.

Retaliation against a victim, good faith reporter, or witness to bullying is prohibited. A student or staff member who engages in bullying, reprisal, retaliation, or false reporting of bullying, shall be subject to discipline per school district policy and procedures. The school administration or board may consider the following factors when determining appropriate disciplinary action for such prohibited conduct: the ages of the parties involved, the developmental and maturity levels, the Special education needs of the parties involved, and the severity of the behavior.

Offenses over time or single offenses which are severe may result in discipline up to and including suspension or expulsion, or termination from employment. Parents participating in prohibited bullying conduct aimed at district students or staff members may jeopardize their access to district facilities; district property; school-sponsored activities, programs, and events; district students or staff members through the district's communication systems. As appropriate, reports to local law enforcement will be filed to report criminal bullying behaviors. (See Policies EBC, GAAC, GAACA, JGEC, JGECA and KN)

## **Sexual Harassment**

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

## **Racial and Disability Harassment**

The board of education is committed to providing a positive and productive learning and working environment, free from discrimination, including harassment, based on race, color, national origin, or disability. Discrimination or harassment based on race, color, or national origin ("racial harassment") or the basis of disability ("disability harassment") shall not be



tolerated in the school district. Racial or disability harassment of employees or students of the district by board members, administrators, certificated and support personnel, students, vendors, and any others having business or other contact with the school district is strictly prohibited.

## Student Dress Code and Personal Appearance

- The personal appearance of each student is the responsibility of the parents and the student.
- The wearing of *appropriate*\* clothing to a place of work is emphasized within this dress code.
- Students are expected to present themselves neatly and cleanly groomed.
- The personal appearance of students shall become actionable by school staff when a student's dress or personal grooming habits are disruptive to the school's function or violates this dress code.

*\*The school's administration shall make the final determination regarding the appropriateness of a student's appearance. Students who are inappropriately dressed will be required to change their clothing. Repeated dress code violations, or extreme violations, may result in consequences being assigned to the student.*

The following attire is unacceptable at JDLA:

- Bandanas, hoods, or other head coverings, as it hampers identification in an emergency.
- Hats that contain inappropriate content or imagery. Hats that become an educational distraction or are worn excessively hamper identification.
- Sunglasses while in the building unless ordered by a healthcare provider;
- Shirts with cut-off sleeves;
- Strapless tops / Tank Tops
- Roller shoes or cleats (indoors);
- Any article of clothing that exposes undergarments or is a distraction or draws attention to, or is suggestive of drugs, alcoholic beverages, tobacco, sex, sexual orientation, gang signs/symbols or profanity is not acceptable;
- Pants, shorts, dresses, skirts, or other garments must be appropriate as not to cause a distraction. (i.e., Holes in jeans that expose skin that should be covered)
- Clothing that calls undue attention to oneself, reveals any part of the midsection, armpits or reveals cleavage will not be allowed;
- Shorts/pants worn below the waistline;
- Any article of clothing that poses a potential risk (i.e., strings used to restrict airflow).

**Note:** *This is not an exhaustive list; the principal will decide based on individual circumstances.*

Attire at school-sponsored events deemed unacceptable by the school administration will not be allowed. Shoes must be worn at all times while at school.

Hairstyles (including color) that become a distraction or may pose a potential risk to other students, faculty, or staff will not be acceptable or tolerated. Also, students wearing jewelry

(including piercing and chains) that become a distraction or may pose a potential risk to other students, faculty, or staff will not be acceptable or tolerated.

## **School-Sponsored Student Publications**

School-sponsored student publications shall be supervised by the building principal or designated faculty representative.

## **Vocational or Other Work Experience**

A student who works in a board-approved vocational or another work-experience program shall have a schedule developed cooperatively by the employer and the supervising teacher and approved by the principal before beginning the work activity and shall be documented in the student record (IEP/ Transition Plan).

## **Health**

Covid-19 Policy - when received from the county health department, the policy will be added.

- Students running a fever of 99.6 and higher will be sent home from school. Parents/Guardians will be notified and be required to pick up their student. Without medication, the student may not return to school until fever-free for 24 hours. This policy will be strictly enforced for the safety of the school.
- If a student vomits at school, the parents/guardians will be notified that they are sick, and the administration will determine whether or not they need to be sent home. In most cases, parents/guardians will be required to pick up the student from school for the duration of the school day.

## **Communicable Diseases**

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

## **Student Accidents and Health Emergencies**

When a staff member becomes aware that a student has been involved in an accident or needs emergency care at school, on school property, or at a school-sponsored activity, the staff member shall follow the rules for the care of an injured student and shall report the accident to the building principal. Suppose a student has an accident that requires medical treatment. In that case, an employee shall send for medical assistance and make the student as comfortable as possible while waiting for medical assistance to arrive.

## **Supervision of Medications**

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

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

School personnel shall not be required to be custodians of any medication except as required by a written order of a licensed medical person or in the case of nonprescription medication when requested in writing by the parents.

The medication shall be examined by the school employee administering the medication to determine that it appears to be in the original container, to be properly labeled, and to be appropriately authorized by the written order of a licensed medical person. The parent should request two containers, one for home and one for school.

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

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

Medications should be inventoried every semester. The out-of-date stock should be returned to the parent or destroyed.

Over-the-counter medications should not be maintained on any school premises, including athletic areas unless written parent permission to administer is obtained.

The building administrator may choose to discontinue medication administration provided the parents, or medical personnel are notified beforehand of the date and the reasons for the discontinuance.

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

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

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

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

## **Student Self-Administration of Medications**

The self-administration of medication is allowed for eligible students in grades K-12. As used in this policy, medication means medicine for treating anaphylaxis or asthma, including, but not limited to, any medicine defined in current federal regulation as an inhaled bronchodilator or auto-injectable epinephrine. Self-administration is the student's discretionary use of an approved medication for which the student has a prescription or written direction from a health care provider.

As used in this policy, a health care provider means a physician licensed to practice medicine and surgery, an advanced registered nurse practitioner, or a licensed physician assistant with the authority to prescribe drugs under the supervision of a responsible physician.

## **Student Eligibility**

Eligible student shall meet all the following requirements:

1. A written statement from the student's health care provider stating the name and purpose of the medication/s;
2. The prescribed dosage;
3. The time the medication is to be regularly administered;
4. Any additional particular circumstances under which the medication is to be administered;
5. The length of time for which the medication is prescribed;
6. The student shall also demonstrate to the health care provider or the provider's designee and the school nurse or the nurse's designee the skill level necessary to use the medication and any device that is necessary to administer the medication as prescribed. In the absence of a school nurse, the school shall designate a person trained to witness the demonstration.

## **Authorization Required**

The health care provider shall prepare a written treatment plan for managing the student's asthma or anaphylaxis episodes and for medication use by the student during school hours. The student's parent or guardian shall annually complete and submit to the school any written documentation required by the school, including the treatment plan prepared by the student's health care provider. Permission forms shall be updated during enrollment.

## **Employee Immunity**

All teachers responsible for the student's supervision shall be notified that permission to carry medications and self-administer has been granted. The principal shall provide written notification to the parent or guardian of a student; JDLA and its officers, employees, and agents are not liable for damage, injury, or death resulting directly or indirectly from the self-administration of medication.

## **Waiver of Liability**

The student's parent or guardian shall sign a statement acknowledging that JDLA and its officers, employees, or agents incur no liability for damage, injury or death resulting directly or indirectly from the self-administration of medication and agreeing to release, indemnify and hold JDLA and its officers, employees, and agents, harmless from and against any claims relating to the self-administration of medication allowed by this policy.

The parent or guardian of the student shall sign a statement acknowledging that JDLA incurs no liability for any injury resulting from the self-administration of medication and agreeing to indemnify and hold the JDLA, and its employees and agents, harmless against any claims relating to the self-administration of such medication.

## **Additional Requirements**

- JDLA shall require that any backup medication provided by the student's parent or guardian be kept at JDLA in a location to which the student has immediate access if there is asthma or anaphylaxis emergency;
- JDLA shall require that all necessary and pertinent information be kept on file at JDLA in a location easily accessible if there is an asthma or anaphylaxis emergency;
- Eligible students shall be allowed to possess and use approved medications at any place where the student is subject to the jurisdiction or supervision of JDLA, its officers, employees or agents;
- The board may adopt policy or handbook language which imposes additional requirements relating to the self-administration of medication allowed for in this policy and may establish a procedure for, and the conditions under which, the authorization for student self-administration of medication may be revoked.

# Federal Education Right to Privacy Act (FERPA)

## Release of Student Records

Individual student files are not available for public inspection. Except as provided in IDEA about student records which are student data submitted to or maintained in a statewide longitudinal data system, the custodian of student records shall disclose the student's educational records only as provided for in this policy.

## Directory Information

Annual notice shall be given to parents and eligible students concerning their rights to student records. In addition, the custodian of the educational records shall give annual public notice of the class of records the institution has designated as directory information and of the right of the parent or eligible student to opt out of the release of directory information without prior written consent. The appropriate forms for providing notice shall be on file in the office of the custodian of the educational records.

After giving notice and allowing a reasonable time for parents or eligible students to inform the district that any or all of the directory information should not be released without prior written consent, the custodian of records may make directory information available without parental or eligible students' consent.

The custodian of records shall make student recruiting information (including student name, address, and telephone listing) available to military recruiters and postsecondary institutions unless parents or eligible students provide a written request to the district providing that the specified information not be released without prior written consent. Notice of the option to opt out of the recruitment information release shall be provided to parents and eligible students in the district's annual notice of rights under the Family Educational Rights and Privacy Act.

For this policy, school official means teacher, administrator, other certified employee, or board of education. Without the parent's or eligible student's consent, the district may disclose personally identifiable information to school officials with a legitimate educational interest. A school official is a person employed by the school as an administrator, supervisor, instructor, or support-staff member (including health or medical staff and law enforcement unit personnel); the school board (in executive session); a person or company with whom the school has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record to fulfill his or her professional responsibility.

The custodian may disclose students' education records to the following persons without the prior consent of the parents:

- Other school officials, including teachers within the district who have legitimate educational interests;
- Officials of other schools or school systems in which the student intends to enroll. The school district will forward student records to such institutions without further notice to the parents or eligible student when the disclosure is initiated by a parent or eligible student or an annual notice provided to parents and eligible students by the district informs them that such records will be automatically disclosed to these institutions for the purposes of enrollment or transfer of the student;
- Authorized persons to whom a student has applied for or from whom a student has received financial aid;
- State and local officials or authorities to whom such information is specifically required to be reported or disclosed pursuant to state statutes;
- Organizations conducting studies for educational agencies for the purpose of developing, validating or administering student tests or programs;
- Accrediting organizations;
- Parents of a student 18 years of age if parents claim the student as a dependent for income tax purposes;
- Appropriate persons if knowledge of any information is necessary to protect the health or safety of the student or other persons in an emergency;
- An agency caseworker or representative of a state or local child welfare agency or tribal organization who has the right to access a student's case plan when such agency or organization is legally responsible for the care and protection of the student and when any further disclosure of such information thereby will be limited in accordance with law; and
- In compliance with a lawfully issued subpoena or judicial order.

Access will be granted to any third party upon written authorization of the eligible student, parent, or guardian.

No personally identifiable information in personal school records shall be furnished to anyone other than those named herein. When there is written instruction from the student's parents, guardian, or the eligible student specifying the records, the reasons, and the person(s) to whom the release is to be made, a copy of the records to be released shall be made available to the student, parents or guardian upon request. When information is requested in compliance with a judicial order or under any lawfully issued subpoena, parent(s)/guardian and the student shall be notified of the order or subpoena in advance of compliance with the order or subpoena unless:

- the order or subpoena specifically forbids such disclosure; or
- the order is issued in the context of a court proceeding where a parent is a party, and the proceeding involves child abuse and neglect or dependency matters.

## **Release of Student Records**

Nothing contained in this policy shall preclude authorized representatives of the Comptroller General of the United States, the Secretary, and an administrative head of an educational agency or state authorities from having access to student or other records which may be necessary in connection with the audit and evaluation of federally supported education programs or the enforcement of the federal legal requirements which relate to these programs.

The data collected by such an official concerning individual students shall not include information (including social security numbers) that would permit the personal identification of students or their parents or guardian on the data collected and provided.

All persons, agencies, or organizations desiring access to the records of a student shall be required to sign a form, which shall be kept permanently with the student's file, but only for inspection by the parents/guardian, the student, or a school official responsible for record maintenance. The signed form shall indicate the specific educational or other interest of each person, agency, or organization in seeking this information.

Personal information shall be transferred to a third party only on the condition that such party shall not permit any other party to access such information without the written consent of the student's parents or the eligible student. The board and staff shall protect the rights of privacy of students and their families in connection with any surveys or data-gathering activities conducted, assisted, or authorized by the board or administration.

Regulations established under this policy shall include provisions controlling the use, dissemination, and protection of such data.

## **Student Privacy Policy**

The director, the board, and staff shall protect the right of privacy of students and their families in connection with any surveys or physical examinations conducted, assisted, or authorized by the board or administration. The service center shall notify parents of their rights under the Protection of Pupil Rights Amendment annually, at the beginning of each school year, and at any other time the service center policies in the area are substantially changed.



## Emergency Safety Intervention

An Emergency Safety Intervention (ESI) is the restraint or seclusion of a student. The law allows it when a student is at immediate risk of hurting themselves or someone else or is damaging property. Seclusion and restraint must only be used in an emergency. Schools must attempt less restrictive ways first. When this is impossible, the law may allow restraint or seclusion. The school must stop the seclusion or restraint as soon as the student is no longer a threat to themselves or others. Restraint and seclusion are not punishments. The school cannot use them in this way. They are only used when a student's behavior is immediately harmful.

### Definitions

- A. **"Campus police officer,"** a school security officer designated by the board of education of any school district under K.S.A. 72-6146 and amendments to that.
- B. **"Chemical Restraint"** is using medication to control a student's violent physical behavior or restrict a student's freedom of movement.
- C. **"Emergency Safety Intervention"** uses seclusion or physical restraint but does not include physical escort or time-out.
- D. **Incident** means each occurrence of the use of an emergency safety intervention.
- E. **Law enforcement** and a **police officer** is a full-time or part-time salaried officer or employee of the state, a county, or a city, whose duties include preventing or detecting crime and enforcing criminal or traffic law of this state or any Kansas municipality. This term includes a campus police officer.
- F. **Legitimate law enforcement purpose** is any goal within the lawful authority of an officer that is to be achieved through methods or conduct condoned by the officer's appointing authority.
- G. **Mechanical Restraint** is any device or object that limits a student's movement.
- H. **Parent** (1) a natural parent; (2) an adoptive parent; (3) a person acting as a parent as defined in K.S.A. 72-3122(d)(2), and amendments to that; (4) a legal guardian; (5) an education advocate for a student with an exceptionality; or (6) a foster parent, unless the student is a child with an exceptionality; or (7) a student who has reached the age of majority or is an emancipated minor.
- I. **Physical Escort** is the temporary touching or holding of a student's hand, wrist, arm, shoulder, or back acting out to induce the student to walk to a safe location.
- J. **Physical Restraint** is the bodily force used to substantially limit a student's movement, except that consensual, solicited, or unintentional contact and contact to provide comfort, assistance, or instruction shall not be considered physical restraint.
- K. **School resource officer** is a law enforcement officer or police officer employed by a local law enforcement agency assigned to a district through an agreement between the local law enforcement agency and the district.
- L. **School security officer** is a person who is employed by a board of education of any school district to aid and supplement state and local law enforcement agencies in which the school district is located. Still, it is not a law enforcement officer or police officer.

- M. **Seclusion** is the placement of a student in a location where all of the following conditions are met: (1) the student is placed in an enclosed area by school personnel; (2) the student is purposefully isolated from adults and peers; and (3) the student is prevented from leaving, or reasonably believes that he or she will be prevented from leaving the enclosed area.
- N. **Time-out** is a behavioral intervention in which a student is temporarily removed from a learning activity without being secluded.

## **Prohibited Types of Restraint**

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

- Using face-down (prone) physical restraint;
- Using (supine) physical restraint face-up;
- Using physical restraint that obstructs the student's airway;
- Using physical restraint that impacts a student's primary mode of communication;
- Using chemical restraint, except as prescribed treatments for a student's medical or psychiatric condition by a person appropriately licensed to issue such treatments;

Use of mechanical restraint, except

- Protective or stabilizing devices required by law or used by an order from a person appropriately licensed to issue the order for the device;
- Any device used by law enforcement officers to carry out law enforcement duties; or
- Seatbelts and other safety equipment used to secure students during transportation.

## **Emergency Safety Interventions**

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

## **ESI Restrictions**

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

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

## **Use of Seclusion**

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

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

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

## **Training**

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

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

## **Notification and Documentation**

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

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

The parent shall be provided the following information after the first and each subsequent incident during each school year: (1) a copy of this policy which indicates when ESI can be used; (2) a flier on the parent's rights; (3) information on the parent's right to file a complaint through the local dispute resolution process (which is set forth in this policy) and the complaint process of the state board of education; and (4) information that will assist the parent in navigating the complaint process, including contact information for Families Together and the Disability Rights Center of Kansas. Upon the first occurrence of an incident of ESI, the foregoing information shall be provided in printed form or, upon the parent's written request, by email. Upon the occurrence of a second or subsequent incident, the parent shall be provided with a full and direct website address containing such information.

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

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

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

## **Documentation of ESI Incidents**

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

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

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

## **Reporting Data**

School administration shall report ESI data to the student's district of enrollment, and that district will report to the state Department of Education as required.

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

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

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

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

meeting. If the parent requests an individualized education program team meeting, the private school shall help facilitate such a meeting.

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

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

### **Local Dispute Resolution Process**

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

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

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

Upon receipt of a formal written complaint, the board president shall assign an investigator to review the complaint and report findings to the board as a whole. Such an investigator may be a board member, a school administrator selected by the board, or a board attorney. Such investigators shall be informed of the obligation to maintain the confidentiality of

student records and shall report the findings of fact and the recommended corrective action, if any, to the board in executive session.

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

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