

## **July Regular Board Meeting**

Monday, July 14, 2025 7:00 PM

District Office, 301 Neosho Street , Burlington, Kansas 66839

### **1. Final Meeting of 2024-2025**

1.A. Call to Order

1.B. Pledge of Allegiance

1.C. Any Other Old Business

1.D. Adjournment of the 2024-2025 Board

### **2. Organizational Meeting for 2025-2026 BOE**

2.A. Call to Order

2.B. Additions to the Agenda

### **3. Consent Agenda**

3.A. Approval of the Agenda

3.B. Approval of the Minutes of the June 9, 2025,  
Linkage Meeting

**BURLINGTON U.S.D. NO. 244 BOARD OF EDUCATION**  
**Administrator Linkage**  
**June 9, 2025**

**Minutes**

A linkage meeting with Burlington Administrators was held at the BHS Multi Media Room on Monday, June 9, 2025. Board members were present: James Higgins, Lucas Allen, Monique Hart, Selena King, Bob Plummer, Johnny Hernandez (via Facetime), and Ron Hess. Also in attendance were Superintendent Craig Marshall and Clerk of the Board Christy Hess. Others present were Director of Special Education Lindsey Graf, Director of Technology Craig Kuhlmann, BES Principal Darla Long, BMS Principal Matt Spring, BHS Principal Jodi Grover, and BHS Asst. Principal/Activities Director Taylor Wilson.

*Procedural: Call to Order*

Selena King called to order the June 9, 2025, Linkage Meeting at 6:03 p.m.

- 1. Review of 2024-2025 Successes – see notes**
- 2. 2025/2026 Focus/Transition Areas – see notes**
- 3. Back to School Picnic – No discussion**
- 4. Adjournment**

Selena King adjourned the meeting at 7:05 p.m.

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James Higgins, President Date

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Christy Hess, Clerk of the Board Date

Burlington Elementary School  
Administrative Linkage Report  
June 9, 2025

During the 2024-25 school year, the staff and students at Burlington Elementary School celebrated many successes. For this linkage meeting, the list has been narrowed down to priority successes and challenges to be shared with Board of Education members.

Successes:

- With a rough start to the year climate wise due to negotiations, overall, the 2024-25 school year was very successful. While a change in staffing provided new challenges, we used instructional aides more directly to enhance student support. Given time, BES staff adapted to the changes, rolled up their sleeves and did the work.
- Overall, our level of para staffing was greatly improved compared to previous years. We did not have vacancy postings throughout the year. While the need to student support is still high, we were more fully staffed and able to provide services at a high level.
- Outside of the box thinking for special education resulted in positive gains for our students by implementing a new model of services with specialization in reading and math supports. While the transition with new teachers and a new model presented some challenges in the start of the year, this proved to impact student growth in a positive manner. Additionally, a strong system of collaboration and teamwork was developed within this department.
- Completion of LETRS training for most of our staff! This two-year professional development was a major commitment for our district and our teachers. This provided relevant learning in highly effective practice for teaching reading. This coursework will complete the requirement for our staff members to get the seal of literacy added to their teaching licenses.
- USD 244 was successful in our KESA accreditation. This district level accreditation process highlights the specific work/achievements that each building accomplishes with students. At BES, we continue to have strong data points on state-assessments, a strong tiered system of supports in place for students and continued improvement on school attendance. The KESA opportunity also provided some ideas for discussion/reflection in practice as we move forward and continue to strive for excellence.

Challenges:

- Classified Staff Recruitment and Retention

- o This is a concern across every aspect in our district for classified positions. We are always stuck in a hiring loop with food service, janitorial, and para-educators. There are also challenges with the level of performance by staff in these positions. This creates an on-going question of addressing these deficits and balancing this with the possibility of having more openings.
- Certified Staff Recruitment
  - o Hiring certified teachers was very challenging this year! Based on the hiring experience this year, I have HUGE concerns with our ability recruit staff to our building/district in the future.
- Substitute Teachers and para-educators
  - o BES is extremely limited in our access to substitute teachers. Our schedule is not conducive to using other certified staff members to cover for each other, so being able to access a certified substitute teacher is essential. We have about 3 people that are willing to teacher sub for us and about 2 people that will para sub for us.
  - o We have been fortunate to have a few para-educators and student interns with sub licenses that we were able to be utilized in special circumstances, however, this can impact special education funding. It is a challenging and frustrating situation. Staff are annoyed with black out days as well as being short staffed, however, there doesn't seem to be an easy solution to this problem.
- Food Service
- Behavioral Challenges of students including social skills, bullying, lack of motivation and physical behaviors. While this was less of an issue than in past years, there are still a small number of students that require a lot of time and intervention.
- Staff training & education- This applies to both general and special education. General education – continuing to stay current in teaching practices/changing what we do to increase student engagement rather than “doing it how we’ve always done it.” For special education - how do we frontload and provide them with what they need to deal with our students most effectively and in a manner that decreases opportunity for burn out. Overall- providing enough intense supports for all learners.

#### Focus and Transition for future:

Looking ahead, the future of BES (new building vs update/renovation) is one that must be addressed. As the board has discussed, there are items that need attention in the more immediate future. As this decision may take some time, I would like to encourage the board and administration to develop a concrete plan for allowing teachers to visit other schools as discussed so that if/when decisions are made, teacher input is ready to go. I believe this is a critical element of support.

BES is heading into a time where significant staffing changes could take place. Several teachers will be reaching early retirement eligibility—it is unknown what timeframe these will occur in, but again, recruitment/retention in the future is going to be a vital element for continued success.



# Burlington Middle School

Unified School District #244

720 Cross Street, Burlington, KS 66839

P (620) 364-2156 F (620) 364-8560

Dear Board of Education and Superintendent Marshall,

The following outlines BMS's primary areas of focus and transition, as well as highlights of our building and program achievements that support student growth and school improvement.

## **Building/Program Focus/Transition Areas**

- ✓ Prioritize staff recruitment by maintaining an active presence at educator recruitment fairs across Kansas to attract high-quality candidates
- ✓ Blackout Days due to substitute teacher shortages
- ✓ Continue to build consistency across all buildings by reinforcing shared identity elements, such as our unified Wildcat branding and the 7-12 athletic alignment. This intentional approach fosters a stronger sense of unity, pride, and belonging among students and staff throughout the district.
- ✓ Continue to improve the effectiveness of interventions for our non-identified, struggling learners to ensure all students receive the support they need to succeed
- ✓ We are observing an increase in student behaviors that are more extreme in nature, with some instances causing disruptions to individual learning and the overall classroom environment.
- ✓ For the 2025-2026 school year, BMS will focus its professional development on HIIPS (High-Impact Instructional Practices and Strategies) in partnership with Greenbush. HIIPS focuses on evidence-based strategies that significantly enhance student engagement, understanding, and achievement. These practices are designed to support teachers in creating more intentional, effective, and inclusive learning environments and what works for BMS students. HIIPS will allow us to build off the strengths of our staff members that have had a positive impact on student learning.
- ✓ Utilizing the mini-KITE assessments to support curriculum alignment and ensure instructional rigor across grade levels and content areas.

## **Building/Program Successes**

- ✓ The addition of a Reading Specialist/Librarian has had a significant positive impact on students who struggle with reading, providing targeted support and fostering improved literacy outcomes.
- ✓ The addition of Devra Parker as our Instructional Coach has been a valuable asset in supporting teacher growth and enhancing instructional practices throughout the building
- ✓ We are proud to share that 27 of our 28 extracurricular activities were recognized as *Distinguished* by KSHSAA, meaning participating students maintained a GPA between 3.25 and 4.0. The remaining activity earned an *Outstanding* designation, with student GPAs ranging from 3.00 to 3.24. This achievement highlights the strong academic commitment of our student athletes and coaches.
- ✓ Students involved in our extracurricular activities continue to excel academically, maintaining a collective GPA of 3.61—demonstrating strong commitment both in and out of

- the classroom.
- ✓ We continue to host well-organized and efficiently run events, consistently receiving positive feedback from visitors and fans outside of Burlington
  - ✓ LETRS training has been successfully completed, equipping staff with evidence-based literacy strategies to support reading instruction and student achievement.
  - ✓ Our Student of the Month program celebrates students who exemplify the 8 Keys of Success and is sponsored by Fittings Export and Fittings Export.
  - ✓ Our Student of the Month program that was aligned to our 8- keys of success sponsored by Fittings Export.
  - ✓ The BMS Staff Member of the Month program, sponsored by Clint Belcher and The Appliance Store, recognizes, and celebrates staff who go above and beyond in their commitment to students, colleagues, and our school community.
  - ✓ The BMS staff has been truly exceptional—demonstrating teamwork, flexibility, and a strong commitment to one another and our students. Throughout the year, staff members consistently stepped up to cover classes during substitute shortages, embodying a culture of collaboration and support. Our school environment remains positive and focused on student growth.
  - ✓ Parent/Teacher Conference participation exceeded 85%, reflecting strong family engagement and a shared commitment to student success.
  - ✓ Cat Time continues to play a vital role in building strong relationships between students and staff. According to our Trusted Adult Survey, 98% of students reported having a trusted adult at BMS—reflecting the strength of our school culture and our commitment to meaningful connections.
  - ✓ FastBridge data indicates we are moving students in the right direction, with noticeable progress in both reading and math. In aMath, 8 students advanced from High Risk/Some Risk to Low Risk/Above Benchmark, and in aReading, 10 students made similar gains. This growth reflects the effectiveness of our instructional strategies and targeted interventions. We are hopeful this positive trend will also be reflected in our upcoming state assessment results
  - ✓ For the third consecutive year, we are offering Summer Conditioning for our 7th and 8th grade students in preparation for their upcoming athletic seasons in the 2025–2026 school year. Currently, 42–43 students are participating, with various coaches there to help Coach Carlson.
  - ✓ We have a fantastic group of students. While some face challenges, we’ve seen meaningful growth and progress from them throughout the year

Yours in Education,

Matt Spring  
BMS, Principal

### SUCSESSES

- BHS received the All Star High School Award for the third year in a row.



- Student Intervention Team**

- Met weekly, every Monday
- Authentic and productive conversations problem solving strategies to help students.
- Focused on one grade level at a time (Freshmen, Sophomores, Junior/Seniors)
- Large representation from staff in meetings to discuss strategies for student improvement
  - Teachers, counselor, college & career advocate, school psychologist, admin, behavioral liaison, social worker.

- ONLINE courses:**

- 1<sup>st</sup> semester
  - 40 students 1<sup>st</sup> semester – Edgenuity
  - 17 College online courses (ESU, FHTC, ACC )
- 2<sup>nd</sup> semester
  - 38 students 2<sup>nd</sup> semester – Edgenuity
  - 48 College online courses (ESU, FHTC, ACC )
    - 20 students enrolled in Public Speaking online

- Graduating Class of 2025**

- 28 earned over 960 college credit hours from Allen Community College.
- 6 earned 178 credit hours at Flint Hills Technical College
- Others earned hours and technical certificates from **Flint Hills Tech, Neosho, Labette, in Certified Nurse Aides. Medication Aides. CPR. OSHA. ServSafe. ASE Certifications.**
- 8 seniors earned a full **Associate's Degree**—before even getting your high school diploma!
- The Class of 2025 was awarded a total of **\$993,688** in scholarships! ALMOST A MILLION DOLLARS!
- \$106,400 is from local scholarships; \$75,400 of that is from the Burlington Alumni Association.

- Behavioral Health Liaison**

- Increased students served from 22 (23-24) to 34 (25-26)
- Out of 34 students served through the MHIT grant:
- 23 students improved school attendance
- 23 improved externalizing behaviors
- 26 improved internalizing behaviors
- 22 improved academic performance

- Successfully completed three data points with FastBridge assessment tool in math, reading and SAEBRS (social/emotional).
  - Two years of data (test all 9<sup>th</sup> and 10<sup>th</sup> grade students)
  - Students continuously falling below benchmark are placed in Applied Reading and Math Lab.
  - SAEBRS data was utilized during CARE Team meetings.
- Activities/Athletics
  - Historic Spring for BHS: 5 State Championships in Track & Field (most ever for BHS at one state meet), 3<sup>rd</sup> Place in Softball (tied for BHS best finish ever), Runners-Up in State Forensics (Best Ever BHS finish), and qualified several students for Nationals in FBLA, FCCLA, and Forensics.
  - The Winter Sports also had a strong showing, with Boys Basketball qualifying for state for the first time in 5 years, Girls Basketball playing in the Sub-State Championship, and Girls Wrestling tying the school record by qualifying 6 girls for the state tournament, with Haylei Potter finishing 2<sup>nd</sup> and Liv Lyons 3<sup>rd</sup>. Scholars Bowl also had a great showing in the Winter, going to State for the first time in several years.
  - In the Fall, football had a record breaking year with Chance Hegg at QB and Brody Anderson at WR, Volleyball won two in season tournaments and nearly doubled their win total from 2023, and cross country had their first state qualifier (Hattie Burgio) since 2021. Cheer also competed in the KSHSAA State competition for the second consecutive year and significantly improved their score. We also had the highest participation in cheer in our league by nearly double.
  - FFA continues to have the biggest numbers of any group at BHS and makes a huge impact on our campus daily with their leadership and activities. Theatre had an outstanding Spring performance, highlighted by a fun new change that included bringing all of BES over for the full show. Band has great numbers 9-12 and put on several top level performances and finished 2<sup>nd</sup> in the Pioneer League competition.
  - Overall, it was an outstanding year for BHS Athletics and Activities.

## Transition Areas for 2025-2026 – Growth Areas

### **NEW STAFF**

- Libby Stadel Johnson (FACS)
- Danyell Zeigler (Student Support)
- Assistant Principal – Arianne Seidl
- Principal – Lee Baldwin

### **NEW COURSES**

- College Public Speaking will be taught by Ms. Sleezer
- College Algebra, College Statistics, College Calculus taught by Ms. Harrison

### **INTERVENTIONS**

- English and Math departments have a common plan daily to review data, instructional strategies and continue alignment within each department.
- Reading Interventions: Applied Reading class is offered for one hour during the school day.

- For 2025-2026 BHS had two math labs scheduled for those students who were not at benchmark in math scores. While we are still in the process of finding a third math teacher, this intervention will need to move to the 26-27 school year in order for all math classes to be offered by two teachers instead of three.

### **UPDATE TO DAILY/WEEKLY SCHEDULE**

- 2025-2026 Daily Schedule: 7:50 a.m. - 3:05 p.m.

### **Activities/Athletics Areas for Growth**

- Activities
  - Band: Mr. Bostic is looking to create a flag corps to have during football games and competitions, with the goal of increasing our performance at the band competitions that we attend.
  - FBLA: Continuing high participation and success under a new sponsor.
  - FCCLA/Skills USA: With a new sponsor (Libby Stadel) coming in, increasing participation significantly will be a goal, and merging FCCLA into the broader Skills USA vision to impact as many students as possible will also be a focus.
  - Theatre: Going into year #2 with new sponsors and a new way of doing things will continue to be an area for growth as students and staff adjust. The sponsors led theatre workshops throughout the Fall last year, with an emphasis on specific skills, which led to a great spring production. The sponsors are looking to do more of the same this year, while incorporating a Winter Showcase. This is an area for growth strictly because it is still an adjustment with newer sponsors in these roles.
  - Increased standards and required commitment of all members of each group. We have many individuals involved in many clubs and groups, so ensuring full commitment for all groups is ideal.
- Athletics
  - Increased Booster Club Involvement/Catbackers Growth
    - BHS AD/Head Coaches increase communication and involvement with the Catbackers group. The things Catbackers do are GREAT – paw painting, 3-sport athlete ceremony and recognition, Spring Fling, etc. Working more with them will only help our athletic department and our community!
  - Increase the consistency and expectations of our coaching staffs through policies and programs that put high value on coaches in our schools and community. Making sure coaches know how much they matter to our school district success.
    - Continuity of coaching staffs is key to long term success. Sharing a common vision and building on that vision over a number of years leads to better results over time. With consistency on BHS and BMS staffs, student-athletes can work through the same vision over a number of years and be more effective as they get into their final years of high school.
    - Going into 25-26, the only BHS Coaching staff with no turnover is Boys Basketball. Meaning that 90% of our sports are experiencing some form of turnover, including new head coaches for several sports. As a district, our goal should be to place high value on our coaches in our community, whether head or assistant, middle school or high school, and support them as they grow our programs, coach our kids, and win championships. Coaches matter!
    - An added note – We have many, many GREAT coaches in our district right now that are making a huge positive difference. Our goal should be to develop them to be their best, so they can continue to develop our student-athletes to be their best!
  - Consistent Summer Strength and Speed Participation

- Coach Carlson is in his third summer running the strength and speed program and it continues to show incredible results. The younger groups (BMS, 9<sup>th</sup>/10<sup>th</sup> graders) that have been involved for several years are increasing in numbers. The more buy-in we can get from all 4 grades at BHS, and all sports, the better.
- The first week of this summer showed growth, and a great thing to see was 8 coaches present at 6:30am ready to get the week started! Again, we have many GREAT coaches that we need to continue to support because they're doing great things like this!
- Increased Multi-Sport Athletes
  - This is a repeat from last school year and will always be a focus. This year, we had a high number of 3-sport athletes again, with many being Freshmen. The goal is to keep them out! We did graduate one "12-sport" athlete – an athlete that played 3 sports all 4 years of high school – Haylei Potter (cross country, wrestling, track).
  - As a small school, we need to continue to work to get our athletes involved in sports throughout the year. The best small schools across the board in Kansas have athletes involved in sports every season, and the more we can encourage that, the better.
  - We do have a strong number of athletes that compete in 2 sports, which is great. Of our 6 track state champions, 5 competed in at least two sports this year. Mac Medlock (volleyball, basketball, track) and Haylei Potter (cross country, wrestling, track) competed in 3 sports.

**Board of Education Linkage  
Coffey County Special Education Cooperative, CCSEC  
Lindsey Graf, Director**

**2024-2025 Successes and Challenges**

**Successes**

- Met Maintenance of Effort
- Maintained a higher level of staffing throughout the year, less turnover throughout the year.
- All Indicator state reports filed and requirements met
- Additional data collection on para effectiveness and more training offered due to the addition of a Special Education Coordinator this year.
- Building healthy strong working relationships with building administration as well as district level administration
- Successful Pre-service for both certified and classified staff
- Good Clean Audits
- Whitnie Docman coming on board has added a uplifting attitude in our office as well as keying in on compliance issues on our paperwork.
- More hands-on assistance in para scheduling at BES
- Completed my year as Chairwoman of SEAC (Special Education Advisory Council for the State Department of Education)
- Selected as a Keli Mentoring Program mentor for a new director.
- 6 people attended the Tri-State Special Education Law Conference.

**Challenges**

- Issues with the state computer management system.
- Delays in the state department reviewing our data.
- Staffing issues: Very short on para and teacher substitutes
- Struggles with teachers and IEP compliant paperwork
- Struggles with relationships between gen ed and special ed staff collaboration
- More significant student behaviors
- Many new teachers to the profession and getting them up to speed on all things special ed.
- Often excuses not solutions
- Getting Whitnie up to speed in all areas (she is rocking some though)

**SUPERINTENDENT LINKAGE  
NOTES  
6-1-25**

**POSITIVES**

1. **ACADEMIC STUDENT PROGRESS THROUGHOUT THE YEAR**
2. **CONTINUED FACILITY IMPROVEMENTS THROUGHOUT THE DISTRICT**
3. **HIRING STAFF IN VERY CHALLENGING TIMES**
4. **STRONG ADMINISTRATION/DIRECTOR TEAM**
5. **EXCELLENT CENTRAL OFFICE STAFF**
6. **LETRS TRAINING FOR ALL DISTRICT STAFF THE PAST TWO YEARS**
7. **VO-AG SHOP ADDITION RENOVATION AT BHS**
8. **OFFERING MORE ON-LINE CLASSES, CREDIT RECOVERY CLASSES, DUAL CREDIT CLASSES, AND OFF CAMPUS CLASS OPPORTUNITIES TO BHS STUDENTS**

**CHALLENGES**

1. **FOCUS ON SUPPORTING THE CHAIN OF COMMAND FROM THE ENTIRE BOARD**
2. **SOCIAL MEDIA SUPPORT FROM THE ENTIRE BOARD**
3. **ADMINISTRATORS NEED TO KNOW BOARD MEMBERS WON'T QUESTION ADMINISTRATION PUBLICLY**

3.C. Approval of the Minutes of the June 9, 2025,  
Regular Meeting

**BURLINGTON U.S.D. NO. 244 BOARD OF EDUCATION  
REGULAR MEETING  
June 9, 2025**

**MINUTES**

The regular meeting of the 2024-2025 Board of Education of Burlington USD 244 was held at the Burlington High School Multi-Media Room at 7:15 p.m. on June 9, 2025. The following board members were present James Higgins, Lucas Allen, Bob Plummer, Monique Hart, Selena King, and Ron Hess . Also in attendance were Superintendent Craig Marshall, Clerk of the Board Christy Hess, Director of Technology Craig Kuhlmann, BES Principal Darla Long, BHS Principal Jodi Grover, Assistant Principal/Activities Director Taylor Wilson, BMS Principal Matt Spring, Gavin Jenkins, Tate Sowder, Matthew Dekat, Cierra Harrison, Chelsie Sowder, Clinton Sowder, Keely Hoback, Haylei Potter, Leah Pedersen, Korryn Bolen, Rylee Docman, Elizabeth Miller, Mina Messerly, Arnesia Williams, Lila Beyer, Natalee Menard, Karlee Docman, Zalie Allen, Hannah Sides, Alexa Splechter, Thomas Flannigan, Sheila Swank, Carlee Cole, Derek Birk, Travis Moerer, Raymond Anderson, Rory Shetler, Lee Baldwin, Brian Bruening, Brendan Devening, and Lillian Lingenfelter.

**Meeting called to order at 7:15 PM**

**1. Opening Items**

1.A. Opening Items

1.B. Pledge of Allegiance

1.C. Additions to the Agenda

**2. Consent Agenda**

2.A. Approval of Consent Agenda

Motion to approve the consent agenda as presented. This motion, made by Lucas Allen and seconded by Selena King, Carried.

Johnny Hernandez: Absent, Lucas Allen: Yea, Monique Hart: Yea, Ron Hess: Yea, James Higgins: Yea, Selena King: Yea, Bob Plummer: Yea

Yea: 6, Nay: 0, Absent: 1

2.B. Approval of the Regular Meeting Minutes

2.C. Approval of the Bills and Financial Reports

2.D. Approval of Personnel Items

2.E. Approval of Donations

2.F. Approval of Year End Transfers

2.G. Approval of HVAC Planned Service Agreement

2.H. Approval of the Summer Food Service Program

2.I. Approval of the Food Service Program Renewal

2.J. Appointment to the Coffey County Fiber Board

### **3. Student Recognition**

3.A. KidWind Presentation

3.B. State Placers for Forensics

3.C. State Softball Team

3.D. State Placers Track

### **4. Public Comment**

4.A. Concerns of Burlington USD 244 Patrons - None

### **5. Communication**

5.A. Written Communication

### **6. Administrative Reports**

6.A. BES June 2025 Board Report

6.B. BMS June 2025 Board Report

6.C. BHS June 2025 Board Report

6.D. Superintendent's June 2025 Board Report

### **7. Board Member Items**

7.A. Board Reports

### **8. 2025-2026 Budget Planning**

### **9. Contracts/Approvals/Appointments**

9.A. Recreation Commission Board Appointee

Motion to appoint Brittany Hawkins to the Recreation Commission Position 1 board member.

This motion, made by Monique Hart and seconded by Lucas Allen, Carried.

Johnny Hernandez: Absent, Lucas Allen: Yea, Monique Hart: Yea, Ron Hess: Yea, James Higgins: Yea, Selena King: Yea, Bob Plummer: Yea

Yea: 6, Nay: 0, Absent: 1

9.B. 1953 Chevy Truck Bid

Motion to accept the bid from Mike McGee for the 1953 Chevy Truck in the amount of \$1,655.00. This motion, made by Lucas Allen and seconded by James Higgins, Carried.

Johnny Hernandez: Absent, Lucas Allen: Yea, Monique Hart: Yea, Ron Hess: Yea, James Higgins: Yea, Selena King: Yea, Bob Plummer: Yea

Yea: 6, Nay: 0, Absent: 1

### **10. Personnel**

10.A. Executive Session Regarding Personnel

10.B. BMS Supplemental Positions

Motion to approve the BMS supplemental positions as presented for the 2025-2026 School Year. This motion, made by James Higgins and seconded by Bob Plummer, Carried.

Johnny Hernandez: Absent, Monique Hart: Nay, Lucas Allen: Yea, Ron Hess: Yea, James Higgins: Yea, Selena King: Yea, Bob Plummer: Yea

Yea: 5, Nay: 1, Absent: 1

Monique Hart: Nay

#### 10.C. BHS Supplemental Positions

Motion to approve the BHS supplemental positions as presented for the 2025-2026 School Year. This motion, made by Lucas Allen and seconded by Bob Plummer, Carried.

Johnny Hernandez: Absent, Lucas Allen: Yea, Monique Hart: Yea, Ron Hess: Yea, James Higgins: Yea, Selena King: Yea, Bob Plummer: Yea

Yea: 6, Nay: 0, Absent: 1

### 11. Executive Session Regarding a Student Issue

#### 12. Negotiations

##### 12.A. Executive Session Regarding Negotiations

At 8:14 p.m., Motion to recess into executive session for 10 minutes to discuss certified contracts pursuant to the exception for employer-employee negotiations under KOMA and to return to open session in this room at the end of that time including Craig Marshall. This motion, made by Monique Hart and seconded by Selena King, Carried.

Johnny Hernandez: Absent, Lucas Allen: Yea, Monique Hart: Yea, Ron Hess: Yea, James Higgins: Yea, Selena King: Yea, Bob Plummer: Yea

Yea: 6, Nay: 0, Absent: 1

Return to open session at 8:24 p.m.

#### 13. Closing Items

##### 13.A. Debriefing

##### 13.B. Adjournment

James Higgins adjourned the June 9, 2025, Regular Board of Education meeting at 8:26 p.m.

\_\_\_\_\_  
James Higgins, President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Christy Hess, Clerk of the Board

\_\_\_\_\_  
Date

3.D. Approval of the Minutes from the June 30, 2025,  
Work Session

**BURLINGTON U.S.D. NO. 244 BOARD OF EDUCATION  
WORK SESSION  
June 30, 2025**

**MINUTES**

A work session of the 2024-2025 Board of Education of Burlington USD 244 was held at the USD #244 Administrative Office on Monday, June 30, 2025, at 6:00 p.m. Members present were James Higgins, Lucas Allen, Selena King, Johnny Hernandez, Monique Hart, and Ron Hess. Also in attendance were Superintendent Craig Marshall, Clerk of the Board Christy Hess, Special Education Director Lindsey Graf, and Dr. Doug Moeckel, KASB Leadership Services.

**Work Session, June 30, 2025, at 6:00 p.m. –**

The Board participated in a workshop presented by Dr. Doug Moeckel to discuss the following topics:

- 1. Review Vision and Mission**
- 2. Characteristics of Effective Boards**
- 3. Powers and Authority of School Boards**
- 4. Effective Governance**
- 5. Roles and Responsibilities**
- 6. Trust and Communication**
- 7. Conflict and Culture**

**8. Adjourn**

*The work session concluded June 30, 2025, at 8:30 p.m.*

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James Higgins, President

Date of Board Approval

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Christy Hess, Board Clerk

Date of Board Approval

3.E. Approval of the Minutes of the July 1, 2025,  
Special Meeting



3.F. Approval of the June 2025 Bills and Transfers

3.G. Approval of Bills and Financial Reports

3.H. Approval of Personnel Items

3.I. Appoint Christy Hess as Clerk of the Board

3.J. Appoint Lindsey Graf as Deputy Clerk of the  
Board

3.K. Appoint Sheila Gilbert as Board Treasurer

3.L. Approval of Other Appointments

3.M. Approval of Building Level Activity Accounting

RESOLUTION TO WAIVE THE ANNUAL REQUIREMENT OF GENERAL ACCEPTED ACCOUNTING PRINCIPLES

RESOLUTION 2025-2

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the financial statements and financial reports for the 2025-2026 school year to be prepared in conformity with the requirements of K.S.A. 75-1120a are not relevant to the requirements of the cash basis and budget laws of this state and are of no significant value to the board, the unified school district or the members of the general public of the district; and

WHEREAS, there are no revenue bond ordinances or resolutions or other ordinances or resolutions of said district which required financial statements and financial reports to be prepared in conformity with said act of the school year 2024-2025;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, in a meeting duly assembled this 14th day of July 2025, that said board request the Director of Accounts and Reports to waive the requirements of said law as they apply to the unified school district for the school year 2025-2026; and

BE IT FURTHER RESOLVED that the said board shall cause its financial statement and financial reports of the said district to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this state.

By: \_\_\_\_\_  
Board Member Board Member  
  
\_\_\_\_\_  
Board Member Board Member  
  
\_\_\_\_\_  
Board Member Board Member  
  
\_\_\_\_\_  
Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH PETTY CASH FUND

RESOLUTION 2025-3

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of a petty cash fund is an efficient method to pay expenses for school district purposes in emergencies; and

WHEREAS, Kansas law, K.S.A. 72-1177, authorizes the establishment of petty cash funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that a petty cash fund designed as the District Office Building Petty Cash Fund is created for the purpose of receiving and expending funds for needed district expenditures in an emergency. The fund shall be in the amount of \$1,500.00.

The fund shall be administered by the accounts payable clerk. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board, a statement showing all receipts, expenditures, and balance at the end of each month and at the end of each school year. An itemized receipt shall be maintained for each expenditure. Any person authorized to administer a petty cash fund shall be bonded by the school district.

Upon proper report to the board, the petty cash fund shall be replenished by payment from the appropriate fund of the school district.

The petty cash fund shall not be loaned or advanced against the salary of any employee. Funds in the petty cash fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105b shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member  
\_\_\_\_\_  
Board Member  
\_\_\_\_\_  
Board Member  
\_\_\_\_\_  
Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH PETTY CASH FUND

RESOLUTION 2025-4

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of a petty cash fund is an efficient method to pay expenses for school district purposes in emergencies; and

WHEREAS, Kansas law, K.S.A. 72-1177, authorizes the establishment of petty cash funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that a petty cash fund designed as the 21<sup>st</sup> Century Petty Cash Fund is created for the purpose of receiving and expending funds for needed district expenditures in an emergency. The fund shall be in the amount of \$500.00.

The fund shall be administered by the elementary school principal. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board, a statement showing all receipts, expenditures, and balance at the end of each month and at the end of each school year. An itemized receipt shall be maintained for each expenditure. Any person authorized to administer a petty cash fund shall be bonded by the school district.

Upon proper report to the board, the petty cash fund shall be replenished by payment from the appropriate fund of the school district.

The petty cash fund shall not be loaned or advanced against the salary of any employee. Funds in the petty cash fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105b shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: _____	_____
Board Member	Board Member
_____	_____
Board Member	Board Member
_____	_____
Board Member	Board Member
	_____
	Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION FOR DESTRUCTION OF RECORDS

RESOLUTION 2025-5

BE IT RESOLVED THAT, the Board of Education of Unified School District No. 244, Coffey County, Kansas hereby authorizes the Clerk of the Board to destroy the following records pursuant to K.S.A. 72-1629 and K.S.A. 72-1630.

Financial documents dated prior to July 1, 2020.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

CERTIFICATE

This is to certify that the above resolution was duly adopted by the Board of Education of Unified School District No. 244, Coffey County, Kansas, on the 14th day of July, 2025.

\_\_\_\_\_  
Clerk of the Board of Education

**RESOLUTION FOR RESCINDING POLICY STATEMENTS FOUND IN BOARD MINUTES**

RESOLUTION 2025-6

Be it resolved that all policy statements found in the minutes of this Board of Education prior to July 1, 2025, be rescinded and that the Board of Education adopt the policy manual (or written policies) as presented and recommended by the superintendent of schools, to govern this school district during the 2025-2026 school year, subject to periodic review, amendment and revision by the Board of Education.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

**RESOLUTION TO ESTABLISH REGULAR MEETING DATES**

**RESOLUTION 2025-7**

Be it resolved that pursuant to K.S.A. 72-1138, the Board of Education of Unified School District No. 244, Coffey County, Kansas, at its regular meeting held July 14, 2025, established the following meeting schedule for regular board of education meetings to be held during the 2025-2026 school year:

<b>DATE</b>	<b>LOCATION</b>	<b>TIME</b>
Monday, July 14, 2025	Administrative Office	7:00 P.M.
Monday, August 11, 2025	Administrative Office	7:00 P.M.
Monday, September 8, 2025	Administrative Office	7:00 P.M.
Monday, October 13, 2025	Administrative Office	7:00 P.M.
Monday, November 10, 2025	Administrative Office	7:00 P.M.
Monday, December 8, 2025	Administrative Office	7:00 P.M.
Monday, January 12, 2026	Administrative Office	7:00 P.M.
Monday, February 9, 2026	Administrative Office	7:00 P.M.
Monday, March 9, 2026	Administrative Office	7:00 P.M.
Monday, April 13, 2026	Administrative Office	7:00 P.M.
Monday, May 11, 2026	Administrative Office	7:00 P.M.
Monday, June 8, 2026	Administrative Office	7:00 P.M.
Monday, July 13, 2026	Administrative Office	7:00 P.M.

If the established meeting date falls on a legal holiday or a holiday specified by the Board of Education, such regular meeting will be held the day following the holiday, commencing at 7:00 p.m. If the established meeting is canceled because of an emergency, within 24 hours of such cancellation, the Board shall establish and give notice of the new meeting date and time.

The Board of Education reserves the right to adjourn any regular meeting to another time and place.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-8

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BHS Activity Fund is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics, and other board-approved student extra-curricular activities.

The fund shall be administered by Kasey Raymer. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures, and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-9

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BHS Activities and Athletics is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics and other board-approved student extra-curricular activities.

The fund shall be administered by Kara Bostic. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-10

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BMS Athletics Account is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics and other board-approved student extra-curricular activities.

The fund shall be administered by Jamie McManus. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-11

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BMS Activity Fund is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics, and other board-approved student extra-curricular activities.

The fund shall be administered by Jamie McManus. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-12

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BES Activity Fund is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics, and other board-approved student extra-curricular activities.

The fund shall be administered by Sally Finlayson. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures, and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH HOME RULE BY BOARD OF EDUCATION

RESOLUTION 2025-13

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the exercise of powers granted by the legislature is of benefit to the board and local patrons; and

WHEREAS, Kansas law authorizes the board to transact all school district business; and

WHEREAS, the board intends to adopt policies that the board deems appropriate to perform its constitutional duty to maintain, develop and operate local public schools; and

WHEREAS, the board acknowledges that the power granted by law shall not be construed to relieve the board from any obligations to comply with state law; and

WHEREAS, the board acknowledges that the powers granted by law and this resolution shall not be construed to relieve any other unit of government of its duties and responsibilities prescribed by law; and

WHEREAS, the board acknowledges that the powers granted by law do not create any responsibility on the part of the district to assume the duties or responsibilities which are required of another unit of government;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that the board shall exercise the power granted by law and by this resolution.

ADOPTED by the Board of Education of Unified School District 244, Coffey County, Kansas, the 14th day of July, 2025.

By:

\_\_\_\_\_  
Board Member Board Member

\_\_\_\_\_  
Board Member Board Member

\_\_\_\_\_  
Board Member Board Member

\_\_\_\_\_  
Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

3.N. Approval of Participation in the 4-Year-old At-Risk Program

3.O. Approve Fees



# Burlington Schools

Unified School District #244

301 Neosho Street, Burlington, KS 66839

(620) 364-8478

## STUDENT FEES

### BURLINGTON ELEMENTARY SCHOOL FEES

	Based on Free/Reduced Meal Status		
	PAID	FREE	REDUCED
Instructional Fee – K through 4 <sup>th</sup> Grades	\$ 50.00	\$ 0.00	\$ 25.00
Preschool Fees **	\$ 150.00 per mo.	\$ 0.00	\$ 0.00

\*\*Preschool fees are not applicable for pre-k students who qualify for special education services.

### BURLINGTON MIDDLE SCHOOL FEES

	Based on Free/Reduced Meal Status		
	PAID	FREE	REDUCED
Instructional Fee – 5 <sup>th</sup> and 6 <sup>th</sup> Grades	\$ 50.00	\$ 0.00	\$ 25.00
Instructional Fee – 7 <sup>th</sup> and 8 <sup>th</sup> Grades	\$ 70.00	\$ 0.00	\$ 35.00

### BURLINGTON HIGH SCHOOL FEES

	HIGH SCHOOL FEES ARE NOT WAIVED		
	PAID	FREE	REDUCED
Instructional Fee – 9 <sup>th</sup> through 12 <sup>th</sup> Grades	\$ 80.00	\$ 80.00	\$ 80.00
Class Dues (grades 9 through 11 only)	\$ 20.00	\$ 20.00	\$ 20.00

**Note:** For vocational courses, additional charges may be incurred for advanced projects, as determined by the student and teacher.

As part of the Child Nutrition and Wellness policies, students could potentially be in carry-over status for the first 30 food service operating days of the school year. Students who are in carry-over status are eligible to receive free/reduced instructional fees for grades K through 8 (all other fees apply and must be paid). Families who are eligible for carry-over status are encouraged to re-apply for benefits annually and before the end of the of the carry-over period by completing an Application for Free and Reduced Price School Meals in order to avoid a lapse in potential benefits.

Annual verification is part of the Child Nutrition and Wellness regulations. If a family is selected for verification and their free or reduced status is changed based on that determination, their status for free or reduced textbooks will not change.

3.P. Approval of 2025-2026 School Meal Prices

# USD No. 244 2025-2026 MEAL PRICES

During the 2025-2026 school year, families are responsible for **ALL** meal charges unless your family qualifies for free school nutrition benefits. Please complete an Application for Free and Reduced Price School Meals to determine your eligibility.

Burlington Elementary School	BREAKFAST	REDUCED BREAKFAST	2nd BREAKFAST	LUNCH	REDUCED LUNCH	Extra Milk	Extra Juice	Extra Portion
<b>BES Student Meal Prices</b>	\$ 2.25	\$ 0.30	\$ 3.00	\$ 3.50	\$ 0.40	\$ 0.60	\$ 0.40	N/A
5 days	\$ 11.25	\$ 1.50	\$ 15.00	\$ 17.50	\$ 2.00	\$ 3.00	\$ 2.00	N/A
1 month (aprox. 20 days)	\$ 45.00	\$ 6.00	\$ 60.00	\$ 70.00	\$ 8.00	\$ 12.00	\$ 8.00	N/A
1 quarter (aprox. 40 days)	\$ 90.00	\$ 12.00	\$ 120.00	\$ 140.00	\$ 16.00	\$ 24.00	\$ 16.00	N/A
1 semester (aprox. 80 days)	\$ 180.00	\$ 24.00	\$ 240.00	\$ 280.00	\$ 32.00	\$ 48.00	\$ 32.00	N/A
1 year (166 days)	\$ 373.50	\$ 49.80	\$ 498.00	\$ 581.00	\$ 66.40	\$ 99.60	\$ 66.40	N/A

Burlington Middle School	BREAKFAST	REDUCED BREAKFAST	2nd BREAKFAST	LUNCH	REDUCED LUNCH	Extra Milk	Extra Juice	Extra Portion
<b>BMS Student Meal Prices</b>	\$ 2.35	\$ 0.30	\$ 3.00	\$ 3.55	\$ 0.40	\$ 0.60	\$ 0.40	N/A
5 days	\$ 11.75	\$ 1.50	\$ 15.00	\$ 17.75	\$ 2.00	\$ 3.00	\$ 2.00	N/A
1 month (aprox. 20 days)	\$ 47.00	\$ 6.00	\$ 60.00	\$ 71.00	\$ 8.00	\$ 12.00	\$ 8.00	N/A
1 quarter (aprox. 40 days)	\$ 94.00	\$ 12.00	\$ 120.00	\$ 142.00	\$ 16.00	\$ 24.00	\$ 16.00	N/A
1 semester (aprox. 80 days)	\$ 188.00	\$ 24.00	\$ 240.00	\$ 284.00	\$ 32.00	\$ 48.00	\$ 32.00	N/A
1 year (166 days)	\$ 390.10	\$ 49.80	\$ 498.00	\$ 589.30	\$ 66.40	\$ 99.60	\$ 66.40	N/A

Burlington High School	BREAKFAST	REDUCED BREAKFAST	2nd BREAKFAST	LUNCH	REDUCED LUNCH	Extra Milk	Extra Juice	Extra Portion
<b>BHS Student Meal Prices</b>	\$ 2.50	\$ 0.30	\$ 3.00	\$ 3.65	\$ 0.40	\$ 0.60	\$ 0.50	\$ 1.50
5 days	\$ 12.50	\$ 1.50	\$ 15.00	\$ 18.25	\$ 2.00	\$ 3.00	\$ 2.50	\$ 7.50
1 month (aprox. 20 days)	\$ 50.00	\$ 6.00	\$ 60.00	\$ 73.00	\$ 8.00	\$ 12.00	\$ 10.00	\$ 30.00
1 quarter (aprox. 40 days)	\$ 100.00	\$ 12.00	\$ 120.00	\$ 146.00	\$ 16.00	\$ 24.00	\$ 20.00	\$ 60.00
1 semester (aprox. 80 days)	\$ 200.00	\$ 24.00	\$ 240.00	\$ 292.00	\$ 32.00	\$ 48.00	\$ 40.00	\$ 120.00
1 year (166 days)	\$ 415.00	\$ 49.80	\$ 498.00	\$ 605.90	\$ 66.40	\$ 99.60	\$ 83.00	\$ 249.00

ADULT MEAL PRICES	BREAKFAST	LUNCH
Burlington Elementary School	\$ 3.00	\$ 5.00
Burlington Middle School	\$ 3.00	\$ 5.00
Burlington High School	\$ 3.00	\$ 5.00
*Extra Portion	N/A	\$ 1.50

### 3.Q. District Fee Refund Policy



# Burlington Schools

Unified School District #244  
301 Neosho Street, Burlington, KS 66839  
(620) 364-8478

## REFUND POLICY FOR FEES

- **For students who enroll *prior to the start of the academic school year* the following rules apply:**
  - 100% refund for students who enroll and pay fees but do not attend.
  - 75% refund from the start of school to August 31<sup>st</sup>.
  - 50% refund from September 1<sup>st</sup> to 30<sup>th</sup>.
  - No refund after October 1<sup>st</sup>.
  
- **For students who enroll *after September 1<sup>st</sup>* the following rules apply:**
  - 100% refund before the first day of attendance.
  - 75% refund within the first 10 days of attendance.
  - 50% refund within the first month of attendance.
  - No refunds after the first month of attendance.
  
- **All inactive meal account balances will be refunded over \$5.00.**
  
- **All inactive 21<sup>st</sup> CCLC after-school program balances will be refunded over \$5.00.**

***District staff should complete the District Refund Form and send it to the Board Clerk.***

## INSTRUCTIONAL FEES

**If a student enrolls mid-year, discounted fees are applied to accounts. These are outlined below:**

<b>ENROLLMENT PERIOD</b>	<b>FEES OWED</b>
August to October 31 <sup>st</sup>	100% of Fees
November to December 31 <sup>st</sup>	75% of Fees
January 1 <sup>st</sup> to March 8 <sup>th</sup>	50% of Fees
March 9 <sup>th</sup> to May 31 <sup>st</sup>	25% of Fees

As part of the Child Nutrition and Wellness policies, students could potentially be in carry-over status for the first 30 food service operating days of the school year. Students who are in carry-over status are eligible to receive free/reduced instructional fees for grades K through 8 (all other fees apply and must be paid). Families who are eligible for carry-over status are encouraged to re-apply for benefits annually and before the end of the of the carry-over period by completing an Application for Free and Reduced Price School Meals in order to avoid a lapse in potential benefits.

Annual verification is part of the Child Nutrition and Wellness regulations. If a family is selected for verification and their free or reduced status is changed based on that determination, their status for free or reduced textbooks will not change.

3.R. Approval of the District Depositories

3.S. Approval of Investing Idle Funds

3.T. Approval of Petty Cash Limits

**RESOLUTION TO WAIVE THE ANNUAL REQUIREMENT OF GENERAL ACCEPTED ACCOUNTING PRINCIPLES**

**RESOLUTION 2025-2**

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the financial statements and financial reports for the 2025-2026 school year to be prepared in conformity with the requirements of K.S.A. 75-1120a are not relevant to the requirements of the cash basis and budget laws of this state and are of no significant value to the board, the unified school district or the members of the general public of the district; and

WHEREAS, there are no revenue bond ordinances or resolutions or other ordinances or resolutions of said district which required financial statements and financial reports to be prepared in conformity with said act of the school year 2024-2025;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, in a meeting duly assembled this 14th day of July 2025, that said board request the Director of Accounts and Reports to waive the requirements of said law as they apply to the unified school district for the school year 2025-2026; and

BE IT FURTHER RESOLVED that the said board shall cause its financial statement and financial reports of the said district to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this state.

By:	_____	_____
	Board Member	Board Member
	_____	_____
	Board Member	Board Member
	_____	_____
	Board Member	Board Member
		_____
		Board Member

Attest: \_\_\_\_\_  
 Clerk, Board of Education

RESOLUTION TO ESTABLISH PETTY CASH FUND

RESOLUTION 2025-3

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of a petty cash fund is an efficient method to pay expenses for school district purposes in emergencies; and

WHEREAS, Kansas law, K.S.A. 72-1177, authorizes the establishment of petty cash funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that a petty cash fund designed as the District Office Building Petty Cash Fund is created for the purpose of receiving and expending funds for needed district expenditures in an emergency. The fund shall be in the amount of \$1,500.00.

The fund shall be administered by the accounts payable clerk. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board, a statement showing all receipts, expenditures, and balance at the end of each month and at the end of each school year. An itemized receipt shall be maintained for each expenditure. Any person authorized to administer a petty cash fund shall be bonded by the school district.

Upon proper report to the board, the petty cash fund shall be replenished by payment from the appropriate fund of the school district.

The petty cash fund shall not be loaned or advanced against the salary of any employee. Funds in the petty cash fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105b shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_

Board Member	_____
Board Member	_____
Board Member	_____
	_____
	Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH PETTY CASH FUND

RESOLUTION 2025-4

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of a petty cash fund is an efficient method to pay expenses for school district purposes in emergencies; and

WHEREAS, Kansas law, K.S.A. 72-1177, authorizes the establishment of petty cash funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that a petty cash fund designed as the 21<sup>st</sup> Century Petty Cash Fund is created for the purpose of receiving and expending funds for needed district expenditures in an emergency. The fund shall be in the amount of \$500.00.

The fund shall be administered by the elementary school principal. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board, a statement showing all receipts, expenditures, and balance at the end of each month and at the end of each school year. An itemized receipt shall be maintained for each expenditure. Any person authorized to administer a petty cash fund shall be bonded by the school district.

Upon proper report to the board, the petty cash fund shall be replenished by payment from the appropriate fund of the school district.

The petty cash fund shall not be loaned or advanced against the salary of any employee. Funds in the petty cash fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105b shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By:	_____	_____
	Board Member	Board Member
	_____	_____
	Board Member	Board Member
	_____	_____
	Board Member	Board Member
		_____
		Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION FOR DESTRUCTION OF RECORDS

RESOLUTION 2025-5

BE IT RESOLVED THAT, the Board of Education of Unified School District No. 244, Coffey County, Kansas hereby authorizes the Clerk of the Board to destroy the following records pursuant to K.S.A. 72-1629 and K.S.A. 72-1630.

Financial documents dated prior to July 1, 2020.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

CERTIFICATE

This is to certify that the above resolution was duly adopted by the Board of Education of Unified School District No. 244, Coffey County, Kansas, on the 14th day of July, 2025.

\_\_\_\_\_  
Clerk of the Board of Education

**RESOLUTION FOR RESCINDING POLICY STATEMENTS FOUND IN BOARD MINUTES**

RESOLUTION 2025-6

Be it resolved that all policy statements found in the minutes of this Board of Education prior to July 1, 2025, be rescinded and that the Board of Education adopt the policy manual (or written policies) as presented and recommended by the superintendent of schools, to govern this school district during the 2025-2026 school year, subject to periodic review, amendment and revision by the Board of Education.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education



RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-8

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BHS Activity Fund is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics, and other board-approved student extra-curricular activities.

The fund shall be administered by Kasey Raymer. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures, and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-9

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BHS Activities and Athletics is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics and other board-approved student extra-curricular activities.

The fund shall be administered by Kara Bostic. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-10

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BMS Athletics Account is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics and other board-approved student extra-curricular activities.

The fund shall be administered by Jamie McManus. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-11

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BMS Activity Fund is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics, and other board-approved student extra-curricular activities.

The fund shall be administered by Jamie McManus. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-12

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BES Activity Fund is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics, and other board-approved student extra-curricular activities.

The fund shall be administered by Sally Finlayson. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures, and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
 Board Member

\_\_\_\_\_  
 Board Member

\_\_\_\_\_  
 Board Member

\_\_\_\_\_  
 Board Member

\_\_\_\_\_  
 Board Member

\_\_\_\_\_  
 Board Member

Attest: \_\_\_\_\_  
 Clerk, Board of Education

RESOLUTION TO ESTABLISH HOME RULE BY BOARD OF EDUCATION

RESOLUTION 2025-13

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the exercise of powers granted by the legislature is of benefit to the board and local patrons; and

WHEREAS, Kansas law authorizes the board to transact all school district business; and

WHEREAS, the board intends to adopt policies that the board deems appropriate to perform its constitutional duty to maintain, develop and operate local public schools; and

WHEREAS, the board acknowledges that the power granted by law shall not be construed to relieve the board from any obligations to comply with state law; and

WHEREAS, the board acknowledges that the powers granted by law and this resolution shall not be construed to relieve any other unit of government of its duties and responsibilities prescribed by law; and

WHEREAS, the board acknowledges that the powers granted by law do not create any responsibility on the part of the district to assume the duties or responsibilities which are required of another unit of government;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that the board shall exercise the power granted by law and by this resolution.

ADOPTED by the Board of Education of Unified School District 244, Coffey County, Kansas, the 14th day of July, 2025.

By:

_____	_____
Board Member	Board Member

_____	_____
Board Member	Board Member

_____	_____
Board Member	Board Member

\_\_\_\_\_

Board Member

Attest: \_\_\_\_\_

Clerk, Board of Education

3.U. Approval of the Waiver of Generally Accepted  
Accounting Principals



RESOLUTION TO ESTABLISH PETTY CASH FUND

RESOLUTION 2025-3

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of a petty cash fund is an efficient method to pay expenses for school district purposes in emergencies; and

WHEREAS, Kansas law, K.S.A. 72-1177, authorizes the establishment of petty cash funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that a petty cash fund designed as the District Office Building Petty Cash Fund is created for the purpose of receiving and expending funds for needed district expenditures in an emergency. The fund shall be in the amount of \$1,500.00.

The fund shall be administered by the accounts payable clerk. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board, a statement showing all receipts, expenditures, and balance at the end of each month and at the end of each school year. An itemized receipt shall be maintained for each expenditure. Any person authorized to administer a petty cash fund shall be bonded by the school district.

Upon proper report to the board, the petty cash fund shall be replenished by payment from the appropriate fund of the school district.

The petty cash fund shall not be loaned or advanced against the salary of any employee. Funds in the petty cash fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105b shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member  
\_\_\_\_\_  
Board Member  
\_\_\_\_\_  
Board Member  
\_\_\_\_\_  
Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH PETTY CASH FUND

RESOLUTION 2025-4

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of a petty cash fund is an efficient method to pay expenses for school district purposes in emergencies; and

WHEREAS, Kansas law, K.S.A. 72-1177, authorizes the establishment of petty cash funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that a petty cash fund designed as the 21<sup>st</sup> Century Petty Cash Fund is created for the purpose of receiving and expending funds for needed district expenditures in an emergency. The fund shall be in the amount of \$500.00.

The fund shall be administered by the elementary school principal. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board, a statement showing all receipts, expenditures, and balance at the end of each month and at the end of each school year. An itemized receipt shall be maintained for each expenditure. Any person authorized to administer a petty cash fund shall be bonded by the school district.

Upon proper report to the board, the petty cash fund shall be replenished by payment from the appropriate fund of the school district.

The petty cash fund shall not be loaned or advanced against the salary of any employee. Funds in the petty cash fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105b shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By:	_____	_____
	Board Member	Board Member
	_____	_____
	Board Member	Board Member
	_____	_____
	Board Member	Board Member
		_____
		Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION FOR DESTRUCTION OF RECORDS

RESOLUTION 2025-5

BE IT RESOLVED THAT, the Board of Education of Unified School District No. 244, Coffey County, Kansas hereby authorizes the Clerk of the Board to destroy the following records pursuant to K.S.A. 72-1629 and K.S.A. 72-1630.

Financial documents dated prior to July 1, 2020.

By: \_\_\_\_\_  
Board Member Board Member

\_\_\_\_\_ Board Member  
Board Member Board Member

\_\_\_\_\_ Board Member  
Board Member

\_\_\_\_\_ Board Member

CERTIFICATE

This is to certify that the above resolution was duly adopted by the Board of Education of Unified School District No. 244, Coffey County, Kansas, on the 14th day of July, 2025.

\_\_\_\_\_  
Clerk of the Board of Education

**RESOLUTION FOR RESCINDING POLICY STATEMENTS FOUND IN BOARD MINUTES**

RESOLUTION 2025-6

Be it resolved that all policy statements found in the minutes of this Board of Education prior to July 1, 2025, be rescinded and that the Board of Education adopt the policy manual (or written policies) as presented and recommended by the superintendent of schools, to govern this school district during the 2025-2026 school year, subject to periodic review, amendment and revision by the Board of Education.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

**RESOLUTION TO ESTABLISH REGULAR MEETING DATES**

RESOLUTION 2025-7

Be it resolved that pursuant to K.S.A. 72-1138, the Board of Education of Unified School District No. 244, Coffey County, Kansas, at its regular meeting held July 14, 2025, established the following meeting schedule for regular board of education meetings to be held during the 2025-2026 school year:

<b>DATE</b>	<b>LOCATION</b>	<b>TIME</b>
Monday, July 14, 2025	Administrative Office	7:00 P.M.
Monday, August 11, 2025	Administrative Office	7:00 P.M.
Monday, September 8, 2025	Administrative Office	7:00 P.M.
Monday, October 13, 2025	Administrative Office	7:00 P.M.
Monday, November 10, 2025	Administrative Office	7:00 P.M.
Monday, December 8, 2025	Administrative Office	7:00 P.M.
Monday, January 12, 2026	Administrative Office	7:00 P.M.
Monday, February 9, 2026	Administrative Office	7:00 P.M.
Monday, March 9, 2026	Administrative Office	7:00 P.M.
Monday, April 13, 2026	Administrative Office	7:00 P.M.
Monday, May 11, 2026	Administrative Office	7:00 P.M.
Monday, June 8, 2026	Administrative Office	7:00 P.M.
Monday, July 13, 2026	Administrative Office	7:00 P.M.

If the established meeting date falls on a legal holiday or a holiday specified by the Board of Education, such regular meeting will be held the day following the holiday, commencing at 7:00 p.m. If the established meeting is canceled because of an emergency, within 24 hours of such cancellation, the Board shall establish and give notice of the new meeting date and time.

The Board of Education reserves the right to adjourn any regular meeting to another time and place.

By: \_\_\_\_\_  
 Board Member    Board Member

\_\_\_\_\_

Board Member    Board Member

\_\_\_\_\_

Board Member    Board Member

\_\_\_\_\_

Board Member

Attest: \_\_\_\_\_  
 Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-8

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BHS Activity Fund is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics, and other board-approved student extra-curricular activities.

The fund shall be administered by Kasey Raymer. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures, and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-9

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BHS Activities and Athletics is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics and other board-approved student extra-curricular activities.

The fund shall be administered by Kara Bostic. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-10

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BMS Athletics Account is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics and other board-approved student extra-curricular activities.

The fund shall be administered by Jamie McManus. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
 Board Member

\_\_\_\_\_  
 Board Member

\_\_\_\_\_  
 Board Member

\_\_\_\_\_  
 Board Member

\_\_\_\_\_  
 Board Member

\_\_\_\_\_  
 Board Member

Attest: \_\_\_\_\_  
 Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-11

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BMS Activity Fund is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics, and other board-approved student extra-curricular activities.

The fund shall be administered by Jamie McManus. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_

Board Member	_____
	Board Member
_____	_____
Board Member	Board Member
_____	_____
Board Member	Board Member
	_____
	Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education



RESOLUTION TO ESTABLISH HOME RULE BY BOARD OF EDUCATION

RESOLUTION 2025-13

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the exercise of powers granted by the legislature is of benefit to the board and local patrons; and

WHEREAS, Kansas law authorizes the board to transact all school district business; and

WHEREAS, the board intends to adopt policies that the board deems appropriate to perform its constitutional duty to maintain, develop and operate local public schools; and

WHEREAS, the board acknowledges that the power granted by law shall not be construed to relieve the board from any obligations to comply with state law; and

WHEREAS, the board acknowledges that the powers granted by law and this resolution shall not be construed to relieve any other unit of government of its duties and responsibilities prescribed by law; and

WHEREAS, the board acknowledges that the powers granted by law do not create any responsibility on the part of the district to assume the duties or responsibilities which are required of another unit of government;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that the board shall exercise the power granted by law and by this resolution.

ADOPTED by the Board of Education of Unified School District 244, Coffey County, Kansas, the 14th day of July, 2025.

By:

_____	_____
Board Member	Board Member
_____	_____
Board Member	Board Member
_____	_____
Board Member	Board Member
_____	
Board Member	

Attest: \_\_\_\_\_  
Clerk, Board of Education

### 3.V. Approval of Board Meeting Schedule

RESOLUTION TO WAIVE THE ANNUAL REQUIREMENT OF GENERAL ACCEPTED ACCOUNTING PRINCIPLES

RESOLUTION 2025-2

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the financial statements and financial reports for the 2025-2026 school year to be prepared in conformity with the requirements of K.S.A. 75-1120a are not relevant to the requirements of the cash basis and budget laws of this state and are of no significant value to the board, the unified school district or the members of the general public of the district; and

WHEREAS, there are no revenue bond ordinances or resolutions or other ordinances or resolutions of said district which required financial statements and financial reports to be prepared in conformity with said act of the school year 2024-2025;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, in a meeting duly assembled this 14th day of July 2025, that said board request the Director of Accounts and Reports to waive the requirements of said law as they apply to the unified school district for the school year 2025-2026; and

BE IT FURTHER RESOLVED that the said board shall cause its financial statement and financial reports of the said district to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this state.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH PETTY CASH FUND

RESOLUTION 2025-3

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of a petty cash fund is an efficient method to pay expenses for school district purposes in emergencies; and

WHEREAS, Kansas law, K.S.A. 72-1177, authorizes the establishment of petty cash funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that a petty cash fund designed as the District Office Building Petty Cash Fund is created for the purpose of receiving and expending funds for needed district expenditures in an emergency. The fund shall be in the amount of \$1,500.00.

The fund shall be administered by the accounts payable clerk. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board, a statement showing all receipts, expenditures, and balance at the end of each month and at the end of each school year. An itemized receipt shall be maintained for each expenditure. Any person authorized to administer a petty cash fund shall be bonded by the school district.

Upon proper report to the board, the petty cash fund shall be replenished by payment from the appropriate fund of the school district.

The petty cash fund shall not be loaned or advanced against the salary of any employee. Funds in the petty cash fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105b shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member  
\_\_\_\_\_  
Board Member  
\_\_\_\_\_  
Board Member  
\_\_\_\_\_  
Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH PETTY CASH FUND

RESOLUTION 2025-4

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of a petty cash fund is an efficient method to pay expenses for school district purposes in emergencies; and

WHEREAS, Kansas law, K.S.A. 72-1177, authorizes the establishment of petty cash funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that a petty cash fund designed as the 21<sup>st</sup> Century Petty Cash Fund is created for the purpose of receiving and expending funds for needed district expenditures in an emergency. The fund shall be in the amount of \$500.00.

The fund shall be administered by the elementary school principal. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board, a statement showing all receipts, expenditures, and balance at the end of each month and at the end of each school year. An itemized receipt shall be maintained for each expenditure. Any person authorized to administer a petty cash fund shall be bonded by the school district.

Upon proper report to the board, the petty cash fund shall be replenished by payment from the appropriate fund of the school district.

The petty cash fund shall not be loaned or advanced against the salary of any employee. Funds in the petty cash fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105b shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: _____	_____
Board Member	Board Member
_____	_____
Board Member	Board Member
_____	_____
Board Member	Board Member
	_____
	Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION FOR DESTRUCTION OF RECORDS

RESOLUTION 2025-5

BE IT RESOLVED THAT, the Board of Education of Unified School District No. 244, Coffey County, Kansas hereby authorizes the Clerk of the Board to destroy the following records pursuant to K.S.A. 72-1629 and K.S.A. 72-1630.

Financial documents dated prior to July 1, 2020.

By: \_\_\_\_\_  
Board Member Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

CERTIFICATE

This is to certify that the above resolution was duly adopted by the Board of Education of Unified School District No. 244, Coffey County, Kansas, on the 14th day of July, 2025.

\_\_\_\_\_  
Clerk of the Board of Education

**RESOLUTION FOR RESCINDING POLICY STATEMENTS FOUND IN BOARD MINUTES**

RESOLUTION 2025-6

Be it resolved that all policy statements found in the minutes of this Board of Education prior to July 1, 2025, be rescinded and that the Board of Education adopt the policy manual (or written policies) as presented and recommended by the superintendent of schools, to govern this school district during the 2025-2026 school year, subject to periodic review, amendment and revision by the Board of Education.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

**RESOLUTION TO ESTABLISH REGULAR MEETING DATES**

**RESOLUTION 2025-7**

Be it resolved that pursuant to K.S.A. 72-1138, the Board of Education of Unified School District No. 244, Coffey County, Kansas, at its regular meeting held July 14, 2025, established the following meeting schedule for regular board of education meetings to be held during the 2025-2026 school year:

<b>DATE</b>	<b>LOCATION</b>	<b>TIME</b>
Monday, July 14, 2025	Administrative Office	7:00 P.M.
Monday, August 11, 2025	Administrative Office	7:00 P.M.
Monday, September 8, 2025	Administrative Office	7:00 P.M.
Monday, October 13, 2025	Administrative Office	7:00 P.M.
Monday, November 10, 2025	Administrative Office	7:00 P.M.
Monday, December 8, 2025	Administrative Office	7:00 P.M.
Monday, January 12, 2026	Administrative Office	7:00 P.M.
Monday, February 9, 2026	Administrative Office	7:00 P.M.
Monday, March 9, 2026	Administrative Office	7:00 P.M.
Monday, April 13, 2026	Administrative Office	7:00 P.M.
Monday, May 11, 2026	Administrative Office	7:00 P.M.
Monday, June 8, 2026	Administrative Office	7:00 P.M.
Monday, July 13, 2026	Administrative Office	7:00 P.M.

If the established meeting date falls on a legal holiday or a holiday specified by the Board of Education, such regular meeting will be held the day following the holiday, commencing at 7:00 p.m. If the established meeting is canceled because of an emergency, within 24 hours of such cancellation, the Board shall establish and give notice of the new meeting date and time.

The Board of Education reserves the right to adjourn any regular meeting to another time and place.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-8

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BHS Activity Fund is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics, and other board-approved student extra-curricular activities.

The fund shall be administered by Kasey Raymer. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures, and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-9

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BHS Activities and Athletics is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics and other board-approved student extra-curricular activities.

The fund shall be administered by Kara Bostic. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-10

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BMS Athletics Account is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics and other board-approved student extra-curricular activities.

The fund shall be administered by Jamie McManus. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
 Board Member

\_\_\_\_\_  
 Board Member

\_\_\_\_\_  
 Board Member

\_\_\_\_\_  
 Board Member

\_\_\_\_\_  
 Board Member

\_\_\_\_\_  
 Board Member

Attest: \_\_\_\_\_  
 Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-11

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BMS Activity Fund is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics, and other board-approved student extra-curricular activities.

The fund shall be administered by Jamie McManus. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-12

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BES Activity Fund is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics, and other board-approved student extra-curricular activities.

The fund shall be administered by Sally Finlayson. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures, and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: _____	_____
Board Member	Board Member
_____	_____
Board Member	Board Member
_____	_____
Board Member	Board Member
	_____
	Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education



3.W. Approval of Hour Plan

3.X. Approval of Designation of Make-Up Day

3.Y. Approval of Mileage Rate

3.Z. Approval of Substitute Teacher Pay

3.AA. Approval of Substitute Classified Pay

3.BB. Approval of District Rental Fees

3.CC. Approval of Destruction of Records

**RESOLUTION TO WAIVE THE ANNUAL REQUIREMENT OF GENERAL ACCEPTED ACCOUNTING PRINCIPLES**

**RESOLUTION 2025-2**

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the financial statements and financial reports for the 2025-2026 school year to be prepared in conformity with the requirements of K.S.A. 75-1120a are not relevant to the requirements of the cash basis and budget laws of this state and are of no significant value to the board, the unified school district or the members of the general public of the district; and

WHEREAS, there are no revenue bond ordinances or resolutions or other ordinances or resolutions of said district which required financial statements and financial reports to be prepared in conformity with said act of the school year 2024-2025;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, in a meeting duly assembled this 14th day of July 2025, that said board request the Director of Accounts and Reports to waive the requirements of said law as they apply to the unified school district for the school year 2025-2026; and

BE IT FURTHER RESOLVED that the said board shall cause its financial statement and financial reports of the said district to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this state.

By: \_\_\_\_\_  
Board Member Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH PETTY CASH FUND

RESOLUTION 2025-3

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of a petty cash fund is an efficient method to pay expenses for school district purposes in emergencies; and

WHEREAS, Kansas law, K.S.A. 72-1177, authorizes the establishment of petty cash funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that a petty cash fund designed as the District Office Building Petty Cash Fund is created for the purpose of receiving and expending funds for needed district expenditures in an emergency. The fund shall be in the amount of \$1,500.00.

The fund shall be administered by the accounts payable clerk. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board, a statement showing all receipts, expenditures, and balance at the end of each month and at the end of each school year. An itemized receipt shall be maintained for each expenditure. Any person authorized to administer a petty cash fund shall be bonded by the school district.

Upon proper report to the board, the petty cash fund shall be replenished by payment from the appropriate fund of the school district.

The petty cash fund shall not be loaned or advanced against the salary of any employee. Funds in the petty cash fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105b shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_

Board Member	_____
	Board Member
_____	_____
Board Member	Board Member
_____	_____
Board Member	Board Member
	_____
	Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH PETTY CASH FUND

RESOLUTION 2025-4

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of a petty cash fund is an efficient method to pay expenses for school district purposes in emergencies; and

WHEREAS, Kansas law, K.S.A. 72-1177, authorizes the establishment of petty cash funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that a petty cash fund designed as the 21<sup>st</sup> Century Petty Cash Fund is created for the purpose of receiving and expending funds for needed district expenditures in an emergency. The fund shall be in the amount of \$500.00.

The fund shall be administered by the elementary school principal. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board, a statement showing all receipts, expenditures, and balance at the end of each month and at the end of each school year. An itemized receipt shall be maintained for each expenditure. Any person authorized to administer a petty cash fund shall be bonded by the school district.

Upon proper report to the board, the petty cash fund shall be replenished by payment from the appropriate fund of the school district.

The petty cash fund shall not be loaned or advanced against the salary of any employee. Funds in the petty cash fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105b shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: _____	_____
Board Member	Board Member
_____	_____
Board Member	Board Member
_____	_____
Board Member	Board Member
	_____
	Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION FOR DESTRUCTION OF RECORDS

RESOLUTION 2025-5

BE IT RESOLVED THAT, the Board of Education of Unified School District No. 244, Coffey County, Kansas hereby authorizes the Clerk of the Board to destroy the following records pursuant to K.S.A. 72-1629 and K.S.A. 72-1630.

Financial documents dated prior to July 1, 2020.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

CERTIFICATE

This is to certify that the above resolution was duly adopted by the Board of Education of Unified School District No. 244, Coffey County, Kansas, on the 14th day of July, 2025.

\_\_\_\_\_  
Clerk of the Board of Education

**RESOLUTION FOR RESCINDING POLICY STATEMENTS FOUND IN BOARD MINUTES**

RESOLUTION 2025-6

Be it resolved that all policy statements found in the minutes of this Board of Education prior to July 1, 2025, be rescinded and that the Board of Education adopt the policy manual (or written policies) as presented and recommended by the superintendent of schools, to govern this school district during the 2025-2026 school year, subject to periodic review, amendment and revision by the Board of Education.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

**RESOLUTION TO ESTABLISH REGULAR MEETING DATES**

**RESOLUTION 2025-7**

Be it resolved that pursuant to K.S.A. 72-1138, the Board of Education of Unified School District No. 244, Coffey County, Kansas, at its regular meeting held July 14, 2025, established the following meeting schedule for regular board of education meetings to be held during the 2025-2026 school year:

<b>DATE</b>	<b>LOCATION</b>	<b>TIME</b>
Monday, July 14, 2025	Administrative Office	7:00 P.M.
Monday, August 11, 2025	Administrative Office	7:00 P.M.
Monday, September 8, 2025	Administrative Office	7:00 P.M.
Monday, October 13, 2025	Administrative Office	7:00 P.M.
Monday, November 10, 2025	Administrative Office	7:00 P.M.
Monday, December 8, 2025	Administrative Office	7:00 P.M.
Monday, January 12, 2026	Administrative Office	7:00 P.M.
Monday, February 9, 2026	Administrative Office	7:00 P.M.
Monday, March 9, 2026	Administrative Office	7:00 P.M.
Monday, April 13, 2026	Administrative Office	7:00 P.M.
Monday, May 11, 2026	Administrative Office	7:00 P.M.
Monday, June 8, 2026	Administrative Office	7:00 P.M.
Monday, July 13, 2026	Administrative Office	7:00 P.M.

If the established meeting date falls on a legal holiday or a holiday specified by the Board of Education, such regular meeting will be held the day following the holiday, commencing at 7:00 p.m. If the established meeting is canceled because of an emergency, within 24 hours of such cancellation, the Board shall establish and give notice of the new meeting date and time.

The Board of Education reserves the right to adjourn any regular meeting to another time and place.

By: \_\_\_\_\_  
Board Member Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-8

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BHS Activity Fund is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics, and other board-approved student extra-curricular activities.

The fund shall be administered by Kasey Raymer. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures, and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member Board Member

\_\_\_\_\_ Board Member  
Board Member Board Member

\_\_\_\_\_ Board Member  
Board Member

\_\_\_\_\_ Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-9

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BHS Activities and Athletics is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics and other board-approved student extra-curricular activities.

The fund shall be administered by Kara Bostic. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-10

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BMS Athletics Account is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics and other board-approved student extra-curricular activities.

The fund shall be administered by Jamie McManus. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
 Board Member

\_\_\_\_\_  
 Board Member

\_\_\_\_\_  
 Board Member

\_\_\_\_\_  
 Board Member

\_\_\_\_\_  
 Board Member

\_\_\_\_\_  
 Board Member

Attest: \_\_\_\_\_  
 Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-11

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BMS Activity Fund is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics, and other board-approved student extra-curricular activities.

The fund shall be administered by Jamie McManus. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-12

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BES Activity Fund is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics, and other board-approved student extra-curricular activities.

The fund shall be administered by Sally Finlayson. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures, and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member Board Member

\_\_\_\_\_  
Board Member Board Member

\_\_\_\_\_  
Board Member Board Member

\_\_\_\_\_  
Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH HOME RULE BY BOARD OF EDUCATION

RESOLUTION 2025-13

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the exercise of powers granted by the legislature is of benefit to the board and local patrons; and

WHEREAS, Kansas law authorizes the board to transact all school district business; and

WHEREAS, the board intends to adopt policies that the board deems appropriate to perform its constitutional duty to maintain, develop and operate local public schools; and

WHEREAS, the board acknowledges that the power granted by law shall not be construed to relieve the board from any obligations to comply with state law; and

WHEREAS, the board acknowledges that the powers granted by law and this resolution shall not be construed to relieve any other unit of government of its duties and responsibilities prescribed by law; and

WHEREAS, the board acknowledges that the powers granted by law do not create any responsibility on the part of the district to assume the duties or responsibilities which are required of another unit of government;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that the board shall exercise the power granted by law and by this resolution.

ADOPTED by the Board of Education of Unified School District 244, Coffey County, Kansas, the 14th day of July, 2025.

By:

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

3.DD. Approval of 21st Century Community  
Learning Center Grant

3.EE. Approval of PDC Handbook

**Burlington  
USD 244**

**Professional Development Council  
Handbook**

**Approved by  
USD 244 Board of Education  
July 14, 2003  
(Revised June 24, 2025)**

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## Professional Development Council

### Philosophy Statement

The Professional Development Council (PDC) of USD 244 believes that a quality staff development program must be in place for certified and classified personnel to achieve the district and building missions. As the council that governs the staff development process for our district, it is the charge of the PDC to continually assess the program to measure progress toward the ultimate goal of improvement of student performance. As teachers achieve more success in their endeavors, so will students and those who support the school community. Staff development is essential as we continue to strive for quality and the accomplishment of the missions, linking staff development and school improvement.

### Council Creation and Purpose

In April 1985, the Kansas Legislature appropriated monies for districts with approved professional development plans. The purpose of the Professional Development Council is to plan, implement, and monitor the staff development activities for USD 244. The PDC also governs the credit the staff earns toward re-licensure and salary schedule advancement.

### Composition of the Council

USD 244 will support their professional development council which will be:

- Representative of the licensed personnel in USD 244.
- Include at least as many teachers as administrators in both shall be selected solely by the group they represent.

Burlington Elementary School

Darla Long  
Lisa Kuhlmann, Chairperson  
Stacy Heins  
Valencia Higgins  
Cindy Doebele  
Amy Ditto

Burlington Middle School

Matt Spring  
Evelyn Ervin, Vice-chairperson  
Ashley Haller, Assistant Secretary  
Maddie Wilson

Burlington High School

Lee Baldwin  
William Bostic  
Natalie Spangenberg  
Jamie Humlicek, Secretary

District Office

Craig Marshall  
Lindsey Graf

CCSE Coop

(243)  
Brian Rand (245)

### Responsibilities and Functions

The Professional Development Council will:

1. Participate in annual training related to roles and responsibilities of council members, including implementing Kansas In-Service Regulations.
2. Develop operational procedures
3. Review and recommend to the board of education approval or disapproval of individual Professional Development Plans (PDP) for renewal of licensure.
4. Design, coordinate, recommend, and approve staff development activities for USD 244 for staff development credit.
5. Verify completion of staff development activities and validate points awarded.
6. Develop, revise, and implement the District Professional Development plan within the guidelines and criteria established by the KSDE every 5 years.
- 7.

### Meetings

1. The PDC meeting date is the third Wednesday of each month.
2. Notification of PDC meetings must be distributed to PDC members and buildings for posting.
3. All decisions will be decided by a simple majority of the total PDC membership providing a quorum is present. A quorum is a simple majority of the total PDC membership.
4. Agenda items may be submitted by any certified staff person in USD 244 and by PDC members.
5. Agenda items must be submitted in writing to the PDC chair at least five working days prior to the meeting.
6. Meeting agendas must be distributed at least three days prior to the meeting to PDC members and buildings for posting.
7. At the beginning of the meeting, agenda items may be added by the PDC chair subject to the approval of the PDC.

### Records

1. Meeting records and materials will be kept on file with the Chairperson.
2. The PDC secretary will record minutes of the PDC meetings and distribute them to the committee members within a week following each meeting.
3. Minutes of the meetings will be forwarded to all USD 244 certified staff.
4. A copy of the PDP for each participating staff person will be kept on file with the Chairperson.

5. Individuals will have access to their own files via the online PDP Toolbox.
6. Professional Development Transcripts are available through the PDP Toolbox Platform. They can also be requested by your designated District Transcript Administrator or contact the PDP Toolbox at [pdptoolbox@greenbush.org](mailto:pdptoolbox@greenbush.org). Each licensed staff member is expected to examine the transcript and notify a PDC member of any corrections.
7. The Southeast Kansas Education Service Center shall maintain a record of points earned by an individual for eight years.

### Officers

1. The officers of the PDC will be the Chairperson, Vice-chairperson, Assistant Secretary and Secretary.
2. The duties of the Chairperson will include, but not limited to:
  - Presiding at all regular meetings
  - Calling and presiding at all special meetings
  - Preparing and distributing agenda at least three days in advance of the meetings
  - Providing notification of all meetings
  - Serving, at own discretion, as an ex-officio non-voting member of any subcommittee
  - Appointing PDC members to subcommittees subject to the approval of the PDC
  - Representing the PDC at all appropriate public functions or appointing a PDC member to represent the PDC
  - Receiving all resignations from PDC members
  - Establishing yearly PDC tasks and timelines
  - Insuring that IDP records are accurately completed and safely kept in a designated location
  - Attending, along with the curriculum director, the Southeast Kansas Regional Staff Development Consortium meetings two times during each school year.
  - Carrying out other necessary duties as needed
3. Duties of the Vice-chairperson will include, but not be limited to:
  - Fulfilling all the duties of the Chairperson in the Chairperson's absence
  - Carrying out all other duties assigned by the Chairperson
4. The duties of the Secretary will include, but not be limited to:
  - Taking and maintaining the minutes of all meetings
  - Publishing and distributing the minutes of all meetings within a week of each meeting
  - Carrying out all other duties assigned by the Chairperson

### Approval of Staff Development Activities

The Professional Development Council in USD 244 will approve activities that:

1. Are consistent with the district, building, and approved individual goals.
2. Contain clearly stated results related to the objectives and are attainable within the timeframe of the activity.

3. Provide resource personnel possessing the skill and knowledge required for successful attainment of the objectives for with the activities were developed.
4. Specify the number and level (Knowledge, Application, Impact) of staff development hours/points generated by the activity and the groups to be involved.
5. Provide support for acquisition of Knowledge, Application of that knowledge into practice, and validate Impact on student or professional learning.
6. Proper procedure for PD approval when a learning opportunity arises outside of contracted time: If this situation should arise: individual should go online if possible and submit a request for learning and contact your building administrator/SPED director for online approval. If you are unable to submit a computerized request for learning, phone your principal/SPED director and the superintendent for pre-approval of the learning activity. The administration will make note pre-approval of the activity. Submission for points may be completed upon return to school.

#### Evaluation of Staff Development Activities

Annually, the PDC council in conjunction with the District Leadership Committee (Curriculum Coordinating Council (CCC)) will determine staff development activities to be provided to address the staff development objectives.

The PDC will follow up with the participants regarding the effect of the activity on their professional performance. This may be done through means such as formal observation, informal observation, presentation of data, records, questionnaires, and visits with the participants.

Evaluation of staff development activities will be a function of the Professional Development Council. These evaluations will be analyzed as to the relevance of the activities and the degree to which the activities met the objectives.

### **Staff Development Plan**

#### Staff Development Organization

The major components of the plan are:

1. Points will be awarded to licensed staff through three types of goals:
  - Working on district goals
  - Working on building goals
  - Working on individual goals
2. Annually, licensed teachers (whether they work for the district or live in the district) will submit an updated Professional Development Plan (PDP) by September 20<sup>th</sup>. Progress on PDP's will be assessed by the supervisor and/or building PDC representatives.

3. The number of points an individual receives will be based on their level of involvement. Each individual shall develop a plan that includes activities in one of these three areas:
  - Content – subject areas and some college classes
  - Professional education – some college classes and all other methodology.
  - Service to the profession – approved committees or listings from the district PDC manual.
4. Points will be awarded at the end of each year or at any designated Professional Development Council Meeting based on documentation of the staff member’s involvement in each of the goal areas. Toolbox from Greenbush will be used in this process.

### **Process**

#### Writing a Professional Development Plan and Determining Activities

At the beginning of each school year, all licensed staff shall draft a Professional Development Plan (PDP) that will encompass district, building, and individual goals. The PDP is developed in cooperation with the building principal or superintendent. It will incorporate mandated building goals. Staff may also select district and individual goals.

The planning at the beginning of each year is only a guide. The level of activity can be modified during the year by the staff and supervisor as individual needs arise. Checkpoints may be put into place to allow the staff member and supervisor to modify and adjust the plan as needed. The PDP points awarded are based on the Kansas State Staff Development Plan, which identifies three levels of involvement from knowledge to impact. Points a person may receive range from the Knowledge Level (one point per contact hour) to Application (2 X Knowledge Level points), to Impact (3 X Knowledge Level points).

- **Knowledge** is “What do you ‘know’ now that you didn’t know before?”
- **Application** is “What can you ‘do’ that you couldn’t/didn’t do before?”
- **Impact** is “What is the result of your newly acquired knowledge and skill in terms of impact on students, other adults, programs or policy development?”

Each goal selected shall be addressed with separate activities and/or interventions. A copy of the PDP will be filed with the PDC by September 20 of each school year. The plan will be composed of the following different types of goals:

#### District Goals

District goals are areas of emphasis that focus on school improvement from the district level and are encompassed in the building goals. All certified staff members may include District Goals established by the Professional Development Council in conjunction with the District Leadership Team.

USD 244 district goals include:

1. USD 244 will provide opportunities for educators to increase their knowledge and skills in school improvement.
2. USD 244 will provide opportunities for educators to increase their knowledge and skills in curriculum and instruction.
3. USD 244 will provide opportunities for educators to increase their knowledge and skills in the use of technology as an educational tool.
4. USD 244 will provide opportunities for educators to increase their knowledge and skills in student development.
5. USD 244 will provide opportunities for the development of professionalism.

### Building Goals

Building goals are areas of emphasis which will focus on school improvement from the building level. All licensed staff members will include Building Goals that are agreed upon by each of the Building Leadership Team.

Burlington Elementary School, Burlington Middle School, and Burlington High School have common building goals. Those goals include:

1. Teachers will increase skills to improve student achievement in reading.
2. Teachers will increase skills to improve student achievement in math.

### Individual Goals

An individual goal could be described as an individual effort to improve professionally. All licensed staff members will include Individual Goals chosen for professional growth with student impact as the focus.

## **Re-licensure**

### Renewal of License

When used for renewal of license, staff development education credit requirements are as follows:

- One clock hour of approved staff development education activity is equal to one staff development point. Staff will determine if the activity applies to the Content Standards, the Professional Educational Education Standards, or is Service to the Profession.
- One semester college/university credit is equal to 20 staff development points.
- Staff development points used for renewal of license must have been earned during the five year period preceding the application for renewal.

- For applicants whose highest degree is the baccalaureate degree, 160 staff development points are required for renewal of license; and 80 of these points must be college/university credit.
- For applicants whose highest degree is a master's or other advanced degree, 120 staff development points are required for renewal of license.
- For applicants renewing a substitute teaching license, 50 staff development points are required.

Activities for Which Staff Development Points May be Earned

- Approved participation at subject area meetings, conferences, and conventions.
- Approved participation in professional learning experiences led by persons with expertise in an area of education. These persons leading the experiences will be able to apply for two hours of prep time for every one hour of presentation time. It must be documented with a signed meeting log with a maximum of three to four hours allowed.
- Observation of programs related to the educational settings (advanced approval from the superintendent and would include the following: a plan of study or action plan for advanced degree or endorsement)
- Publication of professional articles in a professional journal or other recognized education publication.
- Supervised learning of educational programs/practices/study groups to be used in USD 244
- Service to the Profession activities that assist others in acquiring proficiency in professional practices or content or activities that directly relate to licensure of educators, accreditation processes, or professional organizations. (one point per hour of time)
- Certified staff members may request transcripts of Professional Development points from the USD #244 Clerk of the Board. However, all points will be housed by the Southeast KS Education Service Center. If there is a transgression with the points, the staff will need to contact the Southeast KS Education Center (phone number and email are listed on log in page). The Board Clerk will be responsible for delivering the transcript of points to the state.
- Those individuals responsible for coaching in USD# 244 may submit points for district coaches meeting only. (1 hour)

**Salary Schedule Advancement**

Points earned outside of the contract day or are classified as Service to the Profession may be used for movement on the salary schedule. Those conditions are stated on the Salary Advancement Points Validation Form. This form will not be sent to Greenbush for inclusion on the individual's transcript. All PDC points will be recorded on the PDC Points Request Form. Salary Advancement Points are limited to a total of 60 points per year and submitted by the first Monday of May to building administrators.

## **Validation of Credit Points**

The individual staff member is responsible for submitting and resubmitting documentation necessary to validate activities for awarding points. The PDC shall provide the staff with a personal binder to collect documentation of their own progress in developing new knowledge and practices or strengthening existing practices. The evidence is presented to district PDC for final validation.

## **Conflict of Interest**

PDC member(s) will dismiss his/herself from discussion and voting when a conflict of interest is present. Staff member(s) may be asked to rejoin to provide information or when voting has taken place.

## **Mentoring Program for New Staff/Student Teachers**

New teachers may be assigned a mentor by the building administrator. New teachers may receive knowledge points in the area of professional education. Mentors may receive points for service to the profession (Greenbush Certified Mentors) and relicensure points. You must keep a meeting log. Any staff member may pair up with a mentor, with prior approval of his/her supervisor, to work on a new strategy or intervention to receive points with proper documentation.

If a veteran teacher has been assigned a student teacher. The teacher is able to receive service to the profession points by keeping a meeting log. The student teacher would sign for the meeting times. This counts for Salary Advancement and Relicensure points. Remember though that the maximum amount of points for Salary Advancement for any year from August to May is 60 for an equivalent of 3 credit hours.

## **PDP Toolbox Use**

Professional Development Plan (Required by State Department of Education for 2005-2006 school year) lists building and district priorities for staff development

- individual may list up to three individual priorities/goals
- must be completed in the PDP Toolbox and submitted for approval by September 20<sup>th</sup>
- PDP Toolbox preferences must be updated annually to ensure current points for licensure application or renewal are available

## **Learning Activity Request**

- must be completed when individual wishes to attend a particular workshop
- registration form must be given to building administrator at the time the request is submitted

### PDP Points Request

- must be completed for each activity for which you are requesting re-licensure points
- transcript must be provided to building administrator for all college classes before points request will be validated
- when entering a request on Toolbox under New Points Request make sure to list name of college, course name and course number in addition to transcript in the evidence box

### Documentation

- Meeting Log
- used to record meeting dates and times
- used for Service to the Profession points
- record committee meetings, curriculum work, mentoring, presentations, etc.
- keep a separate log for each type of activity
- must be signed by one other person participating in the activity
  
- Salary Advancement Points Validation Form
- must be completed and submitted to building administrator by the first Monday in May to receive salary advancement points
- maximum of 60 points per year may be awarded for salary advancement

#### PD Application Level Evaluation Form

- must be completed at the end of the school year in conjunction with submission of the PDP Toolbox Application Points request
- must be completed and submitted to building administrator to receive application level points
- Observation must be completed by a certified staff member that has been approved by building administrator.

#### PD Impact Level Evaluation Form

- must be completed at the end of the school year in conjunction with submission of the PDP Toolbox Impact Points request
- must be completed and submitted to building administrator to receive impact level points
- Observation must be completed by a certified staff member that has been approved by building administrator.

### **Receiving Points**

Each licensed staff member shall turn in their binder at the end-of-year check out. The binder must include evidence of activities and results. Such documentation must include the required forms and all evidence to support the level of development. The binder will be returned to staff members at the beginning of the next school year.

Staff members may continue goals for more than one year as long as involvement in the goal increases and results in a teacher achieving at a higher level each year. For example, a teacher may choose a goal the first year that he or she wants to achieve at the knowledge level. When a goal is met, the teacher may choose to continue the goal but at the application level the next year.

## **Kansas Statute 91-1-218**

Points for all USD 244 district-wide professional development will be awarded on a “one contact hour equals one point” basis per Kansas Statute 91-1-218 as follows:

Awarding of professional development points:

- a) In awarding professional development points, each educational agency shall designate that one professional development point is equal to one clock hour of professional development education.
- b) If a person documents completion of a professional development activity, the person shall be awarded professional development points equal to the number of clock hours completed.
- c) If a person who has earned points for completion of a professional development activity later verifies that he or she has applied the skills or knowledge gained, the person shall be awarded two times the number of professional development points that were earned for completion of the professional development activity. Evidence of application of the knowledge gained through the professional development activity shall be presented to the PDC and may include the following:
  - 1) Independent observation;
  - 2) Written documentation; or
  - 3) Other evidence (i.e. conference with supervisor) that is acceptable to the PDC.
- d) If a person who has earned points for application of knowledge or skills learned through professional development activities verifies that application of the knowledge or skills has had an impact on student performance or the educational program of the school or school district, the person shall be awarded three times the number of professional development points that were earned for completion of the professional development activity. Evidence of impact upon student performance or school improvement shall be presented to the PDC and may include the following:
  - 1) Independent observation;
  - 2) Written documentation;
  - 3) Evidence of improved student performance; or
  - 4) Other evidence that is acceptable to the PDC.
- e) A person shall be award professional development points for activities related to service to the profession upon the basis of the number of clock hours served. The person shall be awarded one point for each clock hour of service. The person shall submit verification of service to the PDC.
- f) For purposes of renewing a license, a professional development council may not impose a limit on the number of professional development points that may be earned.
- g) This regulation shall be effective on and after July 1, 2003. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution).

## **Kansas Educators Standards for Professional Learning**

**The Role of Professional Standards is to enable educators to increase student learning and the educators effectiveness. The following standards help the educator to fund, regulate, manage, conceive, organize, implement, and evaluate professional learning in an effective way by guiding the professional learning to help make decisions and practices of all persons responsible to the above.**

***Standard 1: Learning Communities-*** Professional learning that increases educator effectiveness and results for all students occurs within learning communities committed to continuous improvement, collective responsibility, and goal alignment.

***Standard 2: Leadership-*** Professional learning that increases educator effectiveness and results for all students requires skillful leaders who develop capacity, advocate, and create support systems of professional learning.

***Standard 3: Resources-*** Professional learning that increases educator effectiveness and results for all students requires prioritizing, monitoring, and coordinating resources for educator learning.

***Standard 4: Data-*** Professional learning that increases educator effectiveness and results for all students uses a variety of sources and types of student, educator, and system data to plan, assess, and evaluate professional learning.

***Standard 5: Learning Designs-*** Professional learning that increases educator effectiveness and results for all students integrates theories, research, and models of human learning to achieve its intended outcomes.

***Standard 6: Implementation-*** Professional learning that increases educator effectiveness and results for all students applies research on change and sustains support for implementation of professional learning for long-term change.

***Standard 7: Outcomes-*** Professional learning that increases educator effectiveness and results for all students aligns its outcomes with educator performance and student curriculum standards.

## **Criteria for Awarding Professional Development Credit**

### **Knowledge**

### **One Point per Contact Hour**

1. Participation in district, building, or individual staff development activities.
2. Participation in sharing, reflection, and planning activities.
3. Must address content standards, professional education standards, or service to the profession.

### **Application**

### **2X Contact Hours**

1. Participate in peer or administrative observation and required forms within one year of received training.
2. Exhibit written documentation.
3. Demonstrate other evidence that is acceptable to the PDC.
4. Application points may address content standards or professional education standards.

### **Impact**

### **3X Contact Hours**

1. Participate in peer or administrative observation and required forms within two years of received training.
2. Exhibit written documentation.
3. Provide evidence of improved student performance.
4. Demonstrate other evidence that is acceptable to the PDC.
5. Impact points may address content standards or professional education standards.

# **Appendix**

## **Forms**



**Burlington USD 244**  
**PDP Impact Level Evaluation/Documentation**

Teacher: \_\_\_\_\_ Date: \_\_\_\_\_  
PD Activity: \_\_\_\_\_  
PD Activity Date: \_\_\_\_\_ Contact Points: \_\_\_\_\_ X3= \_\_\_\_\_

**Post-Workshop Questionnaire**  
**(Measure of Impact for PDP points)**

- | Likert scale - | <u>Familiarity</u>    | <u>Opinion for Success</u> |
|----------------|-----------------------|----------------------------|
|                | 1 – Unaware           | 1 – None                   |
|                | 2 – Somewhat familiar | 2 – Low                    |
|                | 3 – Familiar          | 3 – Good                   |
|                | 4 – Very familiar     | 4 – Very good              |
- 
1. Please rate your present knowledge of the program, strategy, or intervention covered in the professional development activity \_\_\_\_\_[FAMILIARITY]
  
  2. Based on what you now know about the program, strategy, or intervention, what degree of merit do you place on the strategy for achieving the desired goals the school has set for school improvement or for your own individual goals? \_\_\_\_\_ [OPINION FOR SUCCESS]
  
  3. Based on you knowledge of the students, was the program effective? \_\_\_\_\_ [OPINION FOR SUCCESS]
  
  4. How familiar are you now with the steps necessary for effective staff development to take place in order for the identified program or strategy to be successful? \_\_\_\_\_[FAMILIARITY]
  
  5. What do you believe were the key components of the program? (short answer)
  
  
  
  
  
  
  
  
  
  
  6. Why do you believe the program to be successful? Or not?(short answer)

(Continued on next page)

7. What is your present attitude relating to the program, strategy, or intervention?  
Be honest! (short answer) How will it be utilized in your classroom in the future  
regardless of its role in school improvement?

**Include multiple evidence of Impact. Examples are:**

- a. Pre/post test data**
- b. Evidence of improved student academic performance**
- c. Evidence of positive changes in student behaviors**
- d. Application activities by others**
- e. Reflective journals**

Teacher signature: \_\_\_\_\_ Date: \_\_\_\_\_

*Note: Attach extra evidence of Impact if necessary.*

**Meeting Log**  
**2025-2026 School Year**

This form must be used to record meeting dates and times for verification of Service to the Profession (committee work, mentoring, presentations, etc.) Keep a separate log for each committee or activity that you do. **Each person is responsible for filling out their own summary and must be signed. Do Not** have one person collect for a group. This is to be reflective of your activity. **Have one other person involved in the activity (not necessarily a USD #244 employee) sign the log for verification of each meeting.**

Name: \_\_\_\_\_ SS#: \_\_\_\_\_

Committee/Activity: \_\_\_\_\_

Date: \_\_\_\_\_ From: \_\_\_\_\_ To: \_\_\_\_\_ Total Time: \_\_\_\_\_

Summary of activity: \_\_\_\_\_

\_\_\_\_\_

Verification: \_\_\_\_\_

Date: \_\_\_\_\_ From: \_\_\_\_\_ To: \_\_\_\_\_ Total Time: \_\_\_\_\_

Summary of activity: \_\_\_\_\_

\_\_\_\_\_

Verification: \_\_\_\_\_

Date: \_\_\_\_\_ From: \_\_\_\_\_ To: \_\_\_\_\_ Total Time: \_\_\_\_\_

Summary of activity: \_\_\_\_\_

\_\_\_\_\_

Verification: \_\_\_\_\_

Date: \_\_\_\_\_ From: \_\_\_\_\_ To: \_\_\_\_\_ Total Time: \_\_\_\_\_

Summary of activity: \_\_\_\_\_

\_\_\_\_\_

Verification: \_\_\_\_\_

Date: \_\_\_\_\_ From: \_\_\_\_\_ To: \_\_\_\_\_ Total Time: \_\_\_\_\_

Summary of activity: \_\_\_\_\_

\_\_\_\_\_

Verification: \_\_\_\_\_



3.FF. Approve Home Rule



RESOLUTION TO ESTABLISH PETTY CASH FUND

RESOLUTION 2025-3

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of a petty cash fund is an efficient method to pay expenses for school district purposes in emergencies; and

WHEREAS, Kansas law, K.S.A. 72-1177, authorizes the establishment of petty cash funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that a petty cash fund designed as the District Office Building Petty Cash Fund is created for the purpose of receiving and expending funds for needed district expenditures in an emergency. The fund shall be in the amount of \$1,500.00.

The fund shall be administered by the accounts payable clerk. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board, a statement showing all receipts, expenditures, and balance at the end of each month and at the end of each school year. An itemized receipt shall be maintained for each expenditure. Any person authorized to administer a petty cash fund shall be bonded by the school district.

Upon proper report to the board, the petty cash fund shall be replenished by payment from the appropriate fund of the school district.

The petty cash fund shall not be loaned or advanced against the salary of any employee. Funds in the petty cash fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105b shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member  
\_\_\_\_\_  
Board Member  
\_\_\_\_\_  
Board Member  
\_\_\_\_\_  
Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH PETTY CASH FUND

RESOLUTION 2025-4

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of a petty cash fund is an efficient method to pay expenses for school district purposes in emergencies; and

WHEREAS, Kansas law, K.S.A. 72-1177, authorizes the establishment of petty cash funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that a petty cash fund designed as the 21<sup>st</sup> Century Petty Cash Fund is created for the purpose of receiving and expending funds for needed district expenditures in an emergency. The fund shall be in the amount of \$500.00.

The fund shall be administered by the elementary school principal. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board, a statement showing all receipts, expenditures, and balance at the end of each month and at the end of each school year. An itemized receipt shall be maintained for each expenditure. Any person authorized to administer a petty cash fund shall be bonded by the school district.

Upon proper report to the board, the petty cash fund shall be replenished by payment from the appropriate fund of the school district.

The petty cash fund shall not be loaned or advanced against the salary of any employee. Funds in the petty cash fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105b shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By:	_____	_____
	Board Member	Board Member
	_____	_____
	Board Member	Board Member
	_____	_____
	Board Member	Board Member
		_____
		Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION FOR DESTRUCTION OF RECORDS

RESOLUTION 2025-5

BE IT RESOLVED THAT, the Board of Education of Unified School District No. 244, Coffey County, Kansas hereby authorizes the Clerk of the Board to destroy the following records pursuant to K.S.A. 72-1629 and K.S.A. 72-1630.

Financial documents dated prior to July 1, 2020.

By: \_\_\_\_\_  
Board Member Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

CERTIFICATE

This is to certify that the above resolution was duly adopted by the Board of Education of Unified School District No. 244, Coffey County, Kansas, on the 14th day of July, 2025.

\_\_\_\_\_  
Clerk of the Board of Education

**RESOLUTION FOR RESCINDING POLICY STATEMENTS FOUND IN BOARD MINUTES**

RESOLUTION 2025-6

Be it resolved that all policy statements found in the minutes of this Board of Education prior to July 1, 2025, be rescinded and that the Board of Education adopt the policy manual (or written policies) as presented and recommended by the superintendent of schools, to govern this school district during the 2025-2026 school year, subject to periodic review, amendment and revision by the Board of Education.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

**RESOLUTION TO ESTABLISH REGULAR MEETING DATES**

RESOLUTION 2025-7

Be it resolved that pursuant to K.S.A. 72-1138, the Board of Education of Unified School District No. 244, Coffey County, Kansas, at its regular meeting held July 14, 2025, established the following meeting schedule for regular board of education meetings to be held during the 2025-2026 school year:

<b>DATE</b>	<b>LOCATION</b>	<b>TIME</b>
Monday, July 14, 2025	Administrative Office	7:00 P.M.
Monday, August 11, 2025	Administrative Office	7:00 P.M.
Monday, September 8, 2025	Administrative Office	7:00 P.M.
Monday, October 13, 2025	Administrative Office	7:00 P.M.
Monday, November 10, 2025	Administrative Office	7:00 P.M.
Monday, December 8, 2025	Administrative Office	7:00 P.M.
Monday, January 12, 2026	Administrative Office	7:00 P.M.
Monday, February 9, 2026	Administrative Office	7:00 P.M.
Monday, March 9, 2026	Administrative Office	7:00 P.M.
Monday, April 13, 2026	Administrative Office	7:00 P.M.
Monday, May 11, 2026	Administrative Office	7:00 P.M.
Monday, June 8, 2026	Administrative Office	7:00 P.M.
Monday, July 13, 2026	Administrative Office	7:00 P.M.

If the established meeting date falls on a legal holiday or a holiday specified by the Board of Education, such regular meeting will be held the day following the holiday, commencing at 7:00 p.m. If the established meeting is canceled because of an emergency, within 24 hours of such cancellation, the Board shall establish and give notice of the new meeting date and time.

The Board of Education reserves the right to adjourn any regular meeting to another time and place.

By: \_\_\_\_\_  
 Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

Attest: \_\_\_\_\_  
 Clerk, Board of Education



RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-9

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BHS Activities and Athletics is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics and other board-approved student extra-curricular activities.

The fund shall be administered by Kara Bostic. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-10

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BMS Athletics Account is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics and other board-approved student extra-curricular activities.

The fund shall be administered by Jamie McManus. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-11

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BMS Activity Fund is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics, and other board-approved student extra-curricular activities.

The fund shall be administered by Jamie McManus. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
 Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

Attest: \_\_\_\_\_  
 Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-12

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BES Activity Fund is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics, and other board-approved student extra-curricular activities.

The fund shall be administered by Sally Finlayson. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures, and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education



3.GG. Rescind All Policy Statements

RESOLUTION TO WAIVE THE ANNUAL REQUIREMENT OF GENERAL ACCEPTED ACCOUNTING PRINCIPLES

RESOLUTION 2025-2

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the financial statements and financial reports for the 2025-2026 school year to be prepared in conformity with the requirements of K.S.A. 75-1120a are not relevant to the requirements of the cash basis and budget laws of this state and are of no significant value to the board, the unified school district or the members of the general public of the district; and

WHEREAS, there are no revenue bond ordinances or resolutions or other ordinances or resolutions of said district which required financial statements and financial reports to be prepared in conformity with said act of the school year 2024-2025;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, in a meeting duly assembled this 14th day of July 2025, that said board request the Director of Accounts and Reports to waive the requirements of said law as they apply to the unified school district for the school year 2025-2026; and

BE IT FURTHER RESOLVED that the said board shall cause its financial statement and financial reports of the said district to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this state.

By: \_\_\_\_\_  
Board Member Board Member

\_\_\_\_\_  
Board Member Board Member

\_\_\_\_\_  
Board Member Board Member

\_\_\_\_\_  
Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH PETTY CASH FUND

RESOLUTION 2025-3

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of a petty cash fund is an efficient method to pay expenses for school district purposes in emergencies; and

WHEREAS, Kansas law, K.S.A. 72-1177, authorizes the establishment of petty cash funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that a petty cash fund designed as the District Office Building Petty Cash Fund is created for the purpose of receiving and expending funds for needed district expenditures in an emergency. The fund shall be in the amount of \$1,500.00.

The fund shall be administered by the accounts payable clerk. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board, a statement showing all receipts, expenditures, and balance at the end of each month and at the end of each school year. An itemized receipt shall be maintained for each expenditure. Any person authorized to administer a petty cash fund shall be bonded by the school district.

Upon proper report to the board, the petty cash fund shall be replenished by payment from the appropriate fund of the school district.

The petty cash fund shall not be loaned or advanced against the salary of any employee. Funds in the petty cash fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105b shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member  
\_\_\_\_\_  
Board Member  
\_\_\_\_\_  
Board Member  
\_\_\_\_\_  
Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH PETTY CASH FUND

RESOLUTION 2025-4

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of a petty cash fund is an efficient method to pay expenses for school district purposes in emergencies; and

WHEREAS, Kansas law, K.S.A. 72-1177, authorizes the establishment of petty cash funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that a petty cash fund designed as the 21<sup>st</sup> Century Petty Cash Fund is created for the purpose of receiving and expending funds for needed district expenditures in an emergency. The fund shall be in the amount of \$500.00.

The fund shall be administered by the elementary school principal. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board, a statement showing all receipts, expenditures, and balance at the end of each month and at the end of each school year. An itemized receipt shall be maintained for each expenditure. Any person authorized to administer a petty cash fund shall be bonded by the school district.

Upon proper report to the board, the petty cash fund shall be replenished by payment from the appropriate fund of the school district.

The petty cash fund shall not be loaned or advanced against the salary of any employee. Funds in the petty cash fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105b shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By:	_____	_____
	Board Member	Board Member
	_____	_____
	Board Member	Board Member
	_____	_____
	Board Member	Board Member
		_____
		Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION FOR DESTRUCTION OF RECORDS

RESOLUTION 2025-5

BE IT RESOLVED THAT, the Board of Education of Unified School District No. 244, Coffey County, Kansas hereby authorizes the Clerk of the Board to destroy the following records pursuant to K.S.A. 72-1629 and K.S.A. 72-1630.

Financial documents dated prior to July 1, 2020.

By: \_\_\_\_\_  
Board Member Board Member

\_\_\_\_\_  
Board Member Board Member

\_\_\_\_\_  
Board Member Board Member

\_\_\_\_\_  
Board Member

CERTIFICATE

This is to certify that the above resolution was duly adopted by the Board of Education of Unified School District No. 244, Coffey County, Kansas, on the 14th day of July, 2025.

\_\_\_\_\_  
Clerk of the Board of Education

**RESOLUTION FOR RESCINDING POLICY STATEMENTS FOUND IN BOARD MINUTES**

RESOLUTION 2025-6

Be it resolved that all policy statements found in the minutes of this Board of Education prior to July 1, 2025, be rescinded and that the Board of Education adopt the policy manual (or written policies) as presented and recommended by the superintendent of schools, to govern this school district during the 2025-2026 school year, subject to periodic review, amendment and revision by the Board of Education.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

**RESOLUTION TO ESTABLISH REGULAR MEETING DATES**

**RESOLUTION 2025-7**

Be it resolved that pursuant to K.S.A. 72-1138, the Board of Education of Unified School District No. 244, Coffey County, Kansas, at its regular meeting held July 14, 2025, established the following meeting schedule for regular board of education meetings to be held during the 2025-2026 school year:

<b>DATE</b>	<b>LOCATION</b>	<b>TIME</b>
Monday, July 14, 2025	Administrative Office	7:00 P.M.
Monday, August 11, 2025	Administrative Office	7:00 P.M.
Monday, September 8, 2025	Administrative Office	7:00 P.M.
Monday, October 13, 2025	Administrative Office	7:00 P.M.
Monday, November 10, 2025	Administrative Office	7:00 P.M.
Monday, December 8, 2025	Administrative Office	7:00 P.M.
Monday, January 12, 2026	Administrative Office	7:00 P.M.
Monday, February 9, 2026	Administrative Office	7:00 P.M.
Monday, March 9, 2026	Administrative Office	7:00 P.M.
Monday, April 13, 2026	Administrative Office	7:00 P.M.
Monday, May 11, 2026	Administrative Office	7:00 P.M.
Monday, June 8, 2026	Administrative Office	7:00 P.M.
Monday, July 13, 2026	Administrative Office	7:00 P.M.

If the established meeting date falls on a legal holiday or a holiday specified by the Board of Education, such regular meeting will be held the day following the holiday, commencing at 7:00 p.m. If the established meeting is canceled because of an emergency, within 24 hours of such cancellation, the Board shall establish and give notice of the new meeting date and time.

The Board of Education reserves the right to adjourn any regular meeting to another time and place.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-8

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BHS Activity Fund is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics, and other board-approved student extra-curricular activities.

The fund shall be administered by Kasey Raymer. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures, and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

\_\_\_\_\_ Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-9

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BHS Activities and Athletics is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics and other board-approved student extra-curricular activities.

The fund shall be administered by Kara Bostic. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
 Board Member

\_\_\_\_\_  
 Board Member

\_\_\_\_\_  
 Board Member

\_\_\_\_\_  
 Board Member

\_\_\_\_\_  
 Board Member

\_\_\_\_\_  
 Board Member

Attest: \_\_\_\_\_  
 Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-10

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BMS Athletics Account is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics and other board-approved student extra-curricular activities.

The fund shall be administered by Jamie McManus. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member Board Member

\_\_\_\_\_  
Board Member Board Member

\_\_\_\_\_  
Board Member Board Member

\_\_\_\_\_  
Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-11

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BMS Activity Fund is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics, and other board-approved student extra-curricular activities.

The fund shall be administered by Jamie McManus. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member Board Member

\_\_\_\_\_  
Board Member Board Member

\_\_\_\_\_  
Board Member Board Member

\_\_\_\_\_  
Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education

RESOLUTION TO ESTABLISH ACTIVITY FUND

RESOLUTION 2025-12

WHEREAS, the Board of Education of Unified School District No. 244, Coffey County, Kansas, has determined that the creation of an activity fund is an efficient method to pay expenses for student activities; and

WHEREAS, Kansas law, K.S.A. 72-1178, authorizes the establishment of school activity funds;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of Unified School District No. 244, Coffey County, Kansas, that an activity fund designated as the BES Activity Fund is created for the purpose of receiving and expending funds for student activities including athletics, music, forensics, dramatics, and other board-approved student extra-curricular activities.

The fund shall be administered by Sally Finlayson. The fund administrator shall keep a record of all receipts and expenditures of the fund and shall prepare and file with the board a statement showing all receipts, expenditures, and balance at the end of each month and at the end of each school year. Any person authorized to administer an activity fund shall be bonded by the school district.

Funds in the activity fund shall remain district funds but shall not be considered school money for purposes of K.S.A. 72-1136 and the provisions of K.S.A. 12-105(b) shall not apply.

ADOPTED by the Board of Education of Unified School District No. 244, Coffey County, Kansas, the 14th day of July, 2025.

By: \_\_\_\_\_  
Board Member Board Member

\_\_\_\_\_

Board Member Board Member

\_\_\_\_\_

Board Member Board Member

\_\_\_\_\_

Board Member

Attest: \_\_\_\_\_  
Clerk, Board of Education



3.HH. Approval of Consent Agenda

4. **Public Comment**

4.A. Concerns of Burlington USD 244 Patrons

## THE BOARD

The Constitution of the State of Kansas delegates many responsibilities for the governance and operation of school districts to locally elected Boards of Education. Among these duties and responsibilities are: establishment of general policies for the school systems, employment of school personnel upon recommendation of the superintendent, adoption and revision of the annual operating budget, informing the public of the needs and the progress of the educational systems, exercise of the legal powers conferred or implied by the legislature in administering school functions, and selection of the superintendent of schools.

The board is comprised of seven members elected to four-year terms. The members are elected from six geographic districts and one is elected at large. The president and vice-president are elected each year at the first meeting in July. Board members receive no pay for their service.

### BOARD OF EDUCATION BURLINGTON USD 244

James Higgins - President  
Lucas Allen - Vice President  
Johnny Hernandez  
Monique Hart  
Ron Hess  
Selena King  
Bob Plummer

Please direct comments or questions to the district administration office.

Superintendent, Craig Marshall  
Clerk of the Board, Christy Hess

USD 244 Central Office  
301 Neosho Street  
Burlington, KS 66839  
620-364-8478

Thank you for attending. Your continued interest in our district's schools will guarantee their excellence.

### MISSION STATEMENT

*All students will be responsible citizens prepared to succeed in life and careers, contribute to the global community, and be lifelong learners.*



# WELCOME!

TO A  
BURLINGTON UNIFIED SCHOOL DISTRICT  
NO. 244  
BOARD OF EDUCATION MEETING



## THE MEETING

The regular meetings of the USD 244 Board of Education are held at 7:00 p.m. on the second Monday of each month. The meetings are held at the District Administration Building located at 301 Neosho Street, Burlington, Kansas. In addition, the board may hold special meetings at times and locations as announced to accomplish specific purposes.

All regular and special meetings are open to the public and all actions authorized or required by law are taken at these meetings. The board may, however, meet in closed (executive) session to discuss matters dealing with personnel, acquisition of property, consultation with the board attorney, matters relating to action adversely or favorably affecting students or personnel, confidential data relating to financial affairs, and consultation regarding employee negotiations. Any voting board action dealing with these items will be taken in public. At any meeting of the board, a majority of the membership of four members constitutes a quorum for the purpose of conducting business. Minutes of the Board of Education meetings are available at the District Administration Building.

## THE AGENDA

Unless there are unusual or special circumstances, board meetings proceed in the order prescribed on the agenda:

- ☉ Call to Order
- ☉ Approval of Agenda, Minutes of prior meetings, Bills, Financial and Administrative Reports, and other items requiring board approval that may be submitted on the consent agenda
- ☉ Recognition of visitors and requests by visitors to address the board
- ☉ Discussion and Action Items (if executive session is necessary, it will be at this time)
- ☉ Adjournment

The agenda for each board meeting is prepared by the superintendent. Meetings are conducted by the board president in the prescribed order. The superintendent provides a packet of informational and background materials to board members concerning items to be presented on the meeting agenda. This is delivered to board members at least three days prior to the meeting so that they may come to the meeting prepared to question, discuss, and take action on each item. An extra copy of this information will be available for public examination at the administration office.

## PLACING AN ITEM ON THE AGENDA

Any patron wishing to speak to the board regarding a specific concern requiring board action should discuss his/her request with the superintendent at least seven days prior to the scheduled board meeting. This request may be made by phone or in writing. Following this discussion, the superintendent will determine whether the request can be solved by staff or will place the item on the next regular board meeting agenda. If the superintendent refuses to place an item on the agenda, the patron may place his/her request in writing and submit it to the clerk of the board. Any such requests shall state the specific action requested of the board of education. The clerk shall include any statement with the agenda for the next regularly scheduled meeting of the board. (Such items must be received by the clerk not later than Tuesday of the week preceding the regular board meeting) In the event the board wishes to discuss the patron's request, the board may modify its agenda to do so or may direct the superintendent to place the item on a future regular or special meeting agenda.

## CONDUCT AND ORDER

These guidelines have been adopted to give patrons an opportunity to address the board in an orderly and constructive manner. The board's function is decision -- time spent answering routine questions or criticisms takes away from other important board business. If a patron has a question about the operation of the schools, he/she is encouraged to contact the teacher or administrator closest to the situation.

Undue interruptions or other interference with the orderly conduct of Board of Education meetings cannot be allowed. The board president may terminate a speaker's privilege to speak if, after being called to order, he/she persists in improper conduct or remarks. As stated earlier, at a board meeting no person shall orally indicate charges or complaints against individual employees of the district or challenge instructional material used in the district. All such charges, complaints, or challenges shall be presented to the superintendent and/or board clerk in accordance with established board practice.

## MAKING A PUBLIC COMMENT

The Board of Education wishes to be responsive to the community and welcomes patrons at all meetings. If a visitor wishes to make a brief statement, express his/her viewpoint, or ask a question regarding matters related to the school system he/she needs to be present at the beginning of the board meeting. Requests to speak may be made when the board president asks if any visitors have items to bring to the attention of the board. Speakers are asked to limit their remarks to five (5) minutes or less and groups with the same special interest may be asked to appoint a spokesperson. The board president may impose different time limits on presentations if other circumstances dictate doing so.

While there is no legal requirement that the public be given an opportunity to speak at each board meeting, it is the practice of the present board to make this time available to residents of the district. If pressure of business or other circumstances dictate, the board president may decide to curtail this practice.

The purpose of hearing public comment is to enable patrons to address the board concerning matters that do not require immediate board action. Charges or complaints against individual employees of the district or challenges to the instructional material used in the district are not allowed during the public comment portion of the meeting. Requests for board action shall be presented to the superintendent and charges, complaints, or challenges against staff or the curriculum shall be presented to the clerk of the board in accordance with procedures outlined below.

In the event that a speaker fails to observe the board's rules for public comment, any board member may request the individual cease speaking until the board president determines if the speaker should be allowed to complete his/her remarks.

## DISCUSSION OF AN AGENDA ITEM

At meetings, the Board of Education spends its time reviewing and making decisions regarding information concerning student learning and other board concerns. While the meetings are conducted in public, public participation in the discussion of agenda items is not solicited unless the board requests a member of the public comment on that item. If a member of the public wishes to comment on an agenda item, that comment should occur during the Public Comment portion of the meeting.

5. **Communications**

5.A. Written Communications

*The family of*  
*Julie Chappin Brozek*  
*acknowledges with sincere thanks the*  
*kind expression of your sympathy*

Dear USD 244-

Thank you so much  
for your generous donation  
to Jill's memorial.

She was an amazing girl,  
fought so hard and touched  
so many lives.

We truly appreciate your  
thoughtfulness - Sincerely,

Mike, Ernest, Peggy, Chad & Wanda

Thank you for supporting our staff and for a great Teacher appreciative week. Thanks for the food / drink / shirts and all else you provided - it is much appreciated.

Thank you

Dirk Over



Thank you for supporting Burlington FBLA!

Dear Mr. Marshall and the schoolboard,  
Thank you for your contributions and help organizing  
this trip. It has been a fun, educational  
trip that we are very thankful for.

Thank you for your support of Burlington Future Business Leaders of America (FBLA)! Your contribution helps provide valuable leadership and career development opportunities for the students. With your donation 7 students will travel to compete at the National Convention this summer in Anaheim, CA. Your generosity is making a difference in the lives of the students and giving them the opportunity to make memories that will last a lifetime.

Brandon W. Hazlett

*[Signature]*

*[Signature]*

*[Signature]*

Joyce  
*[Signature]*

Donna  
Rodgers

Mackenzie Krueger

Rachel Belcher

6. **Administrative Reports**

6.A. Superintendent's Report

7. **Board Member Items**

7.A. Board Reports

8. **Ground Rules**

8.A. Review Operating Procedures

9. **Board Goals**

10. **Budget Status Report**

11. **Negotiations**

11.A. Ratification of Negotiated Agreement

12. **Personnel**

12.A. Executive Session Regarding Personnel

12.B. Classified Staff Pay Increase

12.C. Increase the Paraprofessional Salary  
Schedule

12.D. Classified Directors' Pay Increase

12.E. Licensed Nurses' Pay Increase

12.F. Special Education Related Services Staff  
Pay Increase

12.G. Administrators' Pay Increase

12.H. Annual Wage/Salary Review Schedule for  
2025-2026

13. **Student Issue**

13.A. Executive Session Regarding A Student  
Issue

14. **Contracts/Approvals/Appointments**

14.A. Governmental Relations Network Appointee

14.B. 2025-2026 Handbook Approvals

# BURLINGTON ELEMENTARY SCHOOL

Staff Handbook

2025-2026



Burlington USD #244  
706 NIAGARA STREET  
BURLINGTON, KANSAS  
66839-1799

PHONE: 620-364-8882  
FAX: 620-364-2999  
WEB SITE: [www.usd244ks.org](http://www.usd244ks.org)

Mrs. Darla Long, Principal  
USD 244 MISSION STATEMENT

Students will be responsible citizens prepared to succeed in life and careers, contribute to the global community, and be lifelong learners.

### BURLINGTON ELEMENTARY SCHOOL MISSION STATEMENT

- to PROVIDE a safe and caring environment for learning and working
- to ENABLE students to succeed as responsible citizens
- to ENCOURAGE a desire for excellence and life-long learning
- to INSPIRE self-reliance, involvement, commitment, and pride

### BURLINGTON ELEMENTARY SCHOOL PLEDGE 'The Wildcat Way'

I promise to follow the Wildcat Way.  
I will be safe.  
I will be respectful.  
I will be responsible.  
I am a Wildcat.

### Wildcat Way Building Wide Expectation Matrix

THE WILDCAT WAY								
	Events	Hallway	Lunchroom	Restroom	Playground	Digital	Classroom	Dismissal
<b>I am ... SAFE</b>	<ul style="list-style-type: none"> <li>• Walking feet</li> <li>• Enter and exit in line order</li> <li>• Keep hands, feet and objects to yourself</li> <li>• Remain in your seat</li> </ul>	<ul style="list-style-type: none"> <li>• Walking feet</li> <li>• Walk on the right, single file, line order</li> <li>• Face forward-body facing the direction you are moving</li> <li>• Keep hands, feet and objects to yourself</li> </ul>	<ul style="list-style-type: none"> <li>• Walking feet</li> <li>• Bottoms on seat</li> <li>• Wait to be dismissed</li> <li>• Keep hands, feet and food to yourself</li> <li>• Enter/exit in line order</li> </ul>	<ul style="list-style-type: none"> <li>• Walking feet</li> <li>• Keep water in sink</li> <li>• Keep your hands, feet and objects to self</li> </ul>	<ul style="list-style-type: none"> <li>• Walking feet</li> <li>• Use equipment properly</li> <li>• Be in control of your body</li> <li>• Down the slide feet 1st, up the stairs</li> </ul>	<ul style="list-style-type: none"> <li>• Bottoms in chairs</li> <li>• Report unusual activity to adult immediately</li> </ul>	<ul style="list-style-type: none"> <li>• Walking feet</li> <li>• Use materials as intended</li> <li>• Be in control of your body</li> </ul>	<ul style="list-style-type: none"> <li>• Walking feet</li> <li>• Walk out building to designated area</li> <li>• Walk to appropriate bus or loading area</li> </ul>
<b>I am ... RESPECTFUL</b>	<ul style="list-style-type: none"> <li>• Voice Level = 0</li> <li>• Give full attention to the presenter</li> <li>• Demonstrate positive school spirit</li> <li>• Applaud appropriately—2 claps</li> <li>• Quiet feet</li> </ul>	<ul style="list-style-type: none"> <li>• Voice Level = 0, 1</li> <li>• Respect space, boundaries and property</li> <li>• Greet and respond to others with kindness—silent hellos</li> </ul>	<ul style="list-style-type: none"> <li>• Voice Level = 0-2</li> <li>• Follow adult directions the 1st time</li> <li>• Respect others and their feelings</li> </ul>	<ul style="list-style-type: none"> <li>• Voice Level = 0-1</li> <li>• Respect privacy</li> <li>• Stay in your own stall</li> </ul>	<ul style="list-style-type: none"> <li>• Play fair, share, include others and take turns</li> <li>• Respect personal boundaries</li> <li>• Follow adult directions</li> <li>• Use kind and appropriate language</li> <li>• Include others</li> </ul>	<ul style="list-style-type: none"> <li>• Voice Level = 0-2</li> <li>• Follow adult directions</li> <li>• Clean up workspace</li> <li>• Put headphones away</li> </ul>	<ul style="list-style-type: none"> <li>• Voice Levels = 0-2</li> <li>• Treat materials with care and appropriately</li> <li>• Use kind language</li> <li>• Follow directions</li> </ul>	<ul style="list-style-type: none"> <li>• Voice Levels = 1-2</li> <li>• Wait respectfully in loading area</li> <li>• Follow adult directions</li> <li>• Respect others</li> </ul>
<b>I am ... RESPONSIBLE</b>	<ul style="list-style-type: none"> <li>• Stay with your class or assigned group</li> <li>• Watch for quiet signal</li> <li>• Listen to your teacher's directions</li> </ul>	<ul style="list-style-type: none"> <li>• Walk with a purpose</li> <li>• Keep hallway clean and clear</li> </ul>	<ul style="list-style-type: none"> <li>• Take appropriate amount of food</li> <li>• Be in line order</li> <li>• Raise your hand for help</li> <li>• Raise your hand for water</li> <li>• Clean up your area</li> </ul>	<ul style="list-style-type: none"> <li>• Make sure the toilet flushes and tell someone if it didn't</li> <li>• Get paper towels in trash can</li> <li>• Use restroom and return quickly wash hands</li> <li>• Use appropriate amount of soap-1 pump, toilet paper and paper towels-2 paper towels</li> </ul>	<ul style="list-style-type: none"> <li>• Bring in what you take out</li> <li>• Line up in line order as soon as the whistle blows</li> </ul>	<ul style="list-style-type: none"> <li>• Take, use and return IPAD with care</li> <li>• Follow Acceptable Use Policy</li> <li>• Log off</li> </ul>	<ul style="list-style-type: none"> <li>• Participate in classroom activities and discussions</li> <li>• Keep area organized</li> <li>• Use time wisely and be prepared</li> <li>• Complete work with best effort</li> </ul>	<ul style="list-style-type: none"> <li>• Walk directly to your designated spot</li> <li>• Stay in Line</li> <li>• Allow younger students to load first</li> </ul>

**BURLINGTON ELEMENTARY SCHOOL SONG**  
 (Written by Jolene Stubby, Retired Vocal Music Teacher)

Hurrah we are from Burlington.  
 We strive to do our best. (Our Best!!)  
 We're respectful, we are positive.  
 We're proud of B.E.S. (B.E.S.!!)  
 To our school we pledge allegiance,  
 All praise to her is due.  
 B.E.S. we thank you, (YES!)  
 We'll be the best for you. (For You !)

**Burlington Elementary School Equity Statement**

The staff at Burlington Elementary School strives to provide quality education  
 for all students.

**INTRODUCTION**

This faculty handbook has been prepared to assist Burlington Elementary School teachers to carry out their specific duties and responsibilities as contracted employees of USD 244. These procedures should provide a knowledge base from which to operate smoothly and with confidence.

Every attempt has been made to cover the items that contribute to the day-to-day operation of BES. If, however, an item is encountered which is not covered by this handbook, please contact the building administrator for guidance or advice.

**BUILDING COMMITTEES**

Building Leadership Team (BLT)	Student Improvement Team (SIT)	District Leadership Team (DLT)
Darla Long – Chair	Darla Long Building Administrator	Cindy Doebele
Megan Sturm	Megan Sturm Counselor	Lisa Kuhlmann
Cindy Doebele	Cindy Doebele Title 1 Teacher	Jennifer Stukey

Stacy Heins	Stacy Heins Title 1 Teacher	Darla Long
Denise Garland	Jared Browning School Psychologist	
Macey Barnhart	Julie Hawley Special Education Teacher	
Jennifer Stukey	Samantha Hoven Special Education Teacher	
Samantha McVey	Amanda Bohannon Special Education Teacher	
4 <sup>th</sup> grade position open		
Kathy Freeman		

DAILY SCHEDULE:

Grades K-4

7:35*	First Bell – Doors to Building are Unlocked for Entry
7:35 – 7:55	1 <sup>st</sup> Breakfast, Students Report to Classrooms
7:55*	Warning Bell
8:00*	Start of School Day
3:15*	School Dismissal

\*Indicates when the bell rings

PreK AM Session 7:45 to 10:45 am

PreK PM Session 12:00 to 3:00 pm

LUNCH PERIODS

11:15-11:50	1 <sup>st</sup> Grade Lunch
11:20-11:45	2 <sup>nd</sup> Grade Lunch
11:50-12:15	3 <sup>rd</sup> Grade Lunch
11:55-12:20	4 <sup>th</sup> Grade Lunch
12:25-12:50	Kindergarten Lunch
12:30-12:55	PM PreK Lunch

## POLICY TYPE: Results

### Direct Mission

Students will be responsible citizens prepared to succeed in life, contribute to their community and continually learn.

### Results Policies

The current Results policies are reprinted below. The indicators are shown in colored type.

#### Academic Skills R-1

Students will demonstrate a strong foundation in academic skills by working toward excellence in:

- Mathematics (KS Assessments, Benchmark assessments, ACT trends in Math, advanced math enrollment)
- Reading (KS Assessments, Benchmark assessments, ACT trends in Reading) □  
Writing (ACT trends in English)
- Science (KS Assessments, advanced science enrollment)
- Social Studies (KS Assessments)
- Communication Skills (KS Assessment,)

To ensure academic success of our students, students must take responsibility for their own learning, evaluate personal progress toward learning goals, effectively solve problems, and apply academic knowledge to practical situations.

## Development of Individual Talents R-2

Students will meet or exceed established standards in other curricular areas aligned with their individual talents, interests, and abilities including but not limited to:

- Vocational education (enrollment data)
- Foreign language (enrollment data)
- Physical education (enrollment data)
- Performing arts (enrollment data, participation data)
- Visual arts (enrollment data, participation data in art festivals and other public displays)
- Technology (Participation in TELC, data from Explorations in Technology, data from Computer Apps I, Technology enrollment data, technology assessments)
- Extra-curricular Programs (Participation data, Success data)

## Life Management R-3

Students will demonstrate the personal characteristics and skills to lead successful lives.

Students will:

- Practice a healthy, balanced lifestyle
- Demonstrate organizational skills
- Demonstrate time management skills

Individuals who develop successful life management skills possess a strong desire to seek knowledge, the ability to acknowledge and learn from mistakes, a positive self-concept, and have positive interpersonal relationships.

## Citizenship R-4

Students will be productive, contributing members of their communities.

Students will:

- Contribute to teams
- Respect law and authority
- Actively contribute to the school or community.

Productive, contributing citizens possess a strong work ethic, recognize and accept individual differences, and value integrity, honesty, respect and courage.

## Teacher Expectations

- Teachers are responsible to submit daily attendance and lunch count to the office no later than 8:15 am.
- Grades must be updated weekly.

## Staff Dress Code

Professional Dress – Appropriate professional dress demonstrates a high regard for education and the teaching profession, and will present an image consistent with job responsibilities and community values and expectations. Appropriate professional dress reflects a shared vision of the District’s staff as motivated professionals working toward a common mission. In addition, it strengthens the community’s perception toward the District, public schools, and the teaching profession.

The Board of Education encourages appropriate dress that adheres to commonly accepted business standards. Clothing should convey a professional image by being coordinated, modest, and appropriate for a classroom or educational setting. If a staff member will be representing the school during the school day in the community, that staff member is expected to dress professionally. For example, class trips should not be held on days the class has been awarded pajama days or other non-typical dress days.

Attire should be appropriate for the educational activity to be engaged in that day and should also be appropriate for the role of the teacher or staff member in each activity (i.e., P.E. Teachers wearing athletic apparel; Vocational teachers wearing apparel appropriate for the shop; teacher planning and preparation days; Professional Development days).

Additionally, staff members are encouraged to participate in District Wide Spirit Days to show school spirit and build relationships with students.

An administrator concerned about an employee’s appearance will address his/her concerns with the individual employee and may include a third party.

### Certified Staff and Classified Staff:

Jeans without holes or tears may be worn. School spirit t-shirts, sweatshirts, and hoodies should be reserved for Fridays or designated spirit days. Tights, leggings, and yoga pants should only be worn as undergarments, and tops must cover to the thighs in the front and back.

REVISED 6-21-18

## Staff Duty Day

- The school day for teachers shall be eight (8) hours, ( Certified 7:35AM-3:40PM, Classified 7:35-3:20)
- All staff are encouraged to be here every day. All staff members are required to be here at their scheduled start time.
- Teachers are allotted a 25-minute duty free lunch daily. This lunch break is to be taken separate from students and is to be written into the teacher’s daily schedule. Staff are to notify the office if they leave campus for their lunch break and when they return.
- All teachers who are not assigned duties away from their classrooms must greet students at their doors, and supervise hallways immediately outside their classrooms.
- Staff members are free to leave the building at 3:40 p.m. unless a faculty meeting has been scheduled.
- If it is necessary to leave before 3:40 p.m. please notify the office and Mrs. Long. Fridays, staff are dismissed once students have left the school/grounds.

## Faculty Meetings

- Faculty meetings will be held as needed.
- Staff meetings time TBD – this will occur through a calendar invite.
- Location for meetings BES IDL.
- Staff members are required at these meetings unless excused by the Principal in advance.
- If you have student, staff, building concerns or topics you would like covered or you feel warrant a building wide discussion, please share those with Mrs. Long.
- Staff meetings will be used for training in specific instructional areas, team meetings, organizing assessment administration, technology training, staff development, etc.
- As always if there are professional development needs you wish to be addressed, feel free to share those as well. Your ideas are always welcome!

## Student Supervision

At BES, the philosophy of student supervision is one in which supervision is a priority in order to provide a safe learning environment for all learners. Students must be supervised at all times. When students are left alone in the room or hallway it is a liability issue. Contact the office if you need to leave the classroom.

Student supervision is critical in all areas of our school: classrooms, hallways, restrooms, recess ground, cafeteria, drop off and dismissal. Wildcat Way expectations are in place for all areas. Hold students accountable to the system that was created by teachers.

## Assemblies

All teachers are expected to attend all assemblies and help maintain proper student behavior, unless they have been assigned a specific supervision duty. **ALL STAFF ATTENDANCE IS EXPECTED IF YOU ARE IN THE BUILDING (even if it is your plan time)!!**

## Staff Mailboxes

- It is expected that you check your mailbox daily.
- No students are allowed in the mailroom or workroom areas.

## Supplies

- Each teacher has access to a variety of basic supplies. These are housed in the BES IMC room. Please take only what you need at the current time. Do not hoard supplies. Please take unused items back to the IMC and return things where you found them.
- Card stock paper will be stored and readily available in the office. If you need this, please ask. Regular paper supply is available in the teacher work room.
- If there are specialty items you need, please submit and e-req with Sally Finlayson.

## Teachers Use of Telephones

Each teacher has a telephone in their classroom. Except in emergency situations, phones should not be allowed to ring while students are in class and engaged in studies. DND should be on at these times. When students are not in the room (teacher plan time), then the teacher can accept incoming calls. Give your extension #'s out at your discretion. Staff members are not to carry or access their cell phones unless authorized to do so by the building administrator or if they are on lunch break.

## Emergency Drills

All emergency procedures and evacuation maps should be posted by the classroom door. Teachers should instruct their classes in the proper procedure for emergency drills. It is important to review the procedures throughout the school year. Hold up the green sheet of paper to communicate you have all your students and the red if you are missing a student or have non-assigned student(s).

### FIRE DRILL PROCEDURES

1. Faculty, staff, and students will receive notice to evacuate the building by the fire alarms in the hallways. If the fire alarms fail to go off, the backup system will be to receive notification to evacuate by using the building intercom system.
2. Teachers will evacuate their students through one of two exits that they have determined and posted in their classroom.
3. Classroom teachers will take a copy of their class roster and the laminated green and red cards to the evacuation point.
4. The individual class rosters and the green and red cards should be carried with each class to special classes such as P.E., art, music, and library. In the event there is a fire drill while a classroom is in a special class, then the instructor in charge of the class at this time is responsible for evacuating the students through the evacuation exits for that particular special class.
5. Small groups of special classes such as, speech, Title I classes, Extended learning class, and guidance sessions will evacuate those students through the nearest building exit, and the teachers responsible for these small groups are responsible for getting the students back with their classroom group.
6. Once the building is evacuated, classroom teachers will check their rosters to make sure all students are accounted for. If all students are accounted for, then the teacher should show their green cards to the evacuation team. If a teacher is missing a student, then they should show their red card which is an indication that help is needed to find a missing student. The administrative evacuation team of Derie Guptill - west, Cindy Doebele- east Stacy Heins - south and Nicki Kelley - north will go to their designated areas outside of the building looking for red and green cards. Inside: Instructional aides will check bathrooms and respective hallways to ensure that all students are evacuated.
7. Faculty, staff, and students cannot reenter the building until an all-clear signal is given by the building principal or his/her designee.

## BURLINGTON ELEMENTARY WOLF CREEK EVACUATION PLAN

Individual	Phone	Cell
Darla Long, Principal	364-8882x1001	620-203-1331
Megan Sturm, Counselor	364-8882x1640	

1. Receive order to evacuate building.
  
2. Principal or person in charge will announce over intercom (all stations) that all students are to return to their homerooms - announcer will state “WOLF CREEK EVACUATION”, which informs all staff that the emergency evacuation plan has begun. All students return to their homerooms. Any high school aides in the building report immediately to the office.  
 Students who are working at the elementary school AND who have permission to drive on file in the building where they are assigned may pick up red sheet from administrator in those buildings to drive to Neosho Rapids. In the event that the administrator does not have notification of permission to drive and/or the red sheet describing the evacuation procedure, these students must ride the bus leaving from that building. If students are released from the elementary school to drive, they may NOT take siblings but are to proceed directly to the relocation center.
  
3. Day custodian will turn all air intake units off. The head cook will shut kitchen down (ovens, fires, air handlers). The head cook will shut kitchen down (ovens, fires, air handlers).
  
4. The task force listed below will immediately report to the office. (Kim Dunaway, Tabitha Mason, Christy Monasmith and Rachel Belcher will report to the office if they are in the building during an evacuation.) Sally Finlayson and Darla Dees will remain in the office throughout the evacuation to communicate with parents and to coordinate student checkout. Kathy Freeman will coordinate the loading of the buses. The principal, Darla Long, will be the contact with central office and emergency preparedness.
  
5. TASK FORCE ASSIGNMENT:  
 (#designates the Lead task force member at that grade level)
 

Library & SpEd (#Allen /Hind)	Pre-school
PE & SpEd (#Doebele/Para/Para)	Kindergarten
Title & Sped (#Heins/Ruzicka/Link)	1st Grade
SpEd (#/Hawley/Para/Para)	2nd Grade
Counselor (#Sturm/Para)	3rd Grade
Special Ed (#Hoven/Para/Lutz)	4th Grade
SpEd (#Bohannan)	SpEd Integrated Room
  
6. SPECIFIC STAFF TO STUDENT ASSIGNMENTS  
 \* Assigned paras remain with one-on-one students
  
7. Freeman, Kelley, and Guptill will check the building for students in restrooms, halls, empty rooms, sick room, and cafeteria. Following this they will report to the office.
  
8. Homeroom teachers will take roll and list students present and students absent. This list will be given to the lead task force member assigned to that grade before buses are loaded. The office should be contacted immediately by the classroom teacher if a student is missing from their classroom.

9. Teachers are to take the 'red classroom bag' with emergency materials/supplies with them during the evacuation.
10. Beginning with kindergarten/preschool and proceeding through 4th grade, each class will be called via intercom to load buses. Classroom teachers will supervise the loading, and a task force member assigned to that grade will aid each teacher with the loading. A task force member will check off each student that loads a bus and designate the bus number by each student's name. A task force member will maintain this checklist of students and bus assignments until the site designated by Coffey County Emergency Management is reached.
11. A task force member will also keep track of any student who is taken from school, bus, or safety destination by parent or guardian. Once the destination is reached, a task force member will again check off students as they leave the bus. This process serves as a double check system for accuracy for accounting for all students who loaded buses at the Burlington Elementary School.
12. Parents or guardians may pick their child/children up at school prior to bus loading by reporting to the office, receiving a checkout slip, and giving it to a task force member at the appropriate grade level. A task force member will have the only roster of names.
13. All USD #244 personnel will ride buses to the destination point for supervision purposes and their own personal safety. There should be task force members on every bus.
14. Task force members on each bus shall verify that the roster of students matches the students on the bus. Any changes will need to be made on the roster so that it is accurate upon arrival at the destination.
15. Task force members will ride bus with their student check sheets to the destination site. Students from each bus will stay together as a group with a task force member until picked up by parent/guardian or until other instructions are given at the evacuation site. Classroom teachers will ride buses with their classes to aid the task force members.
16. Medical Information: If the school nurse is present during an evacuation, it is her responsibility to take essential student medication to the evacuation site. In her absence, the secretaries will transport essential medication.
17. Notify Superintendent when building has been evacuated.

# Wolf Creek Evacuation

## Student Roster

To Be Filled Out Immediately After Wolf  
Creek Evacuation is announced

Teacher:

Name	Present	Absent	Bus Number
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			
21.			

22.			
23.			

This roster should be given to task force member prior to bus loading.

NOTE: #Outside Exits - Exit A, Exit B, etc.

Boys' and Girls' Restrooms between Rooms 15 and 17 will follow same fire and tornado exits as Room 15.

Showers by Room 47 will follow same fire and tornado exits as Room 47.

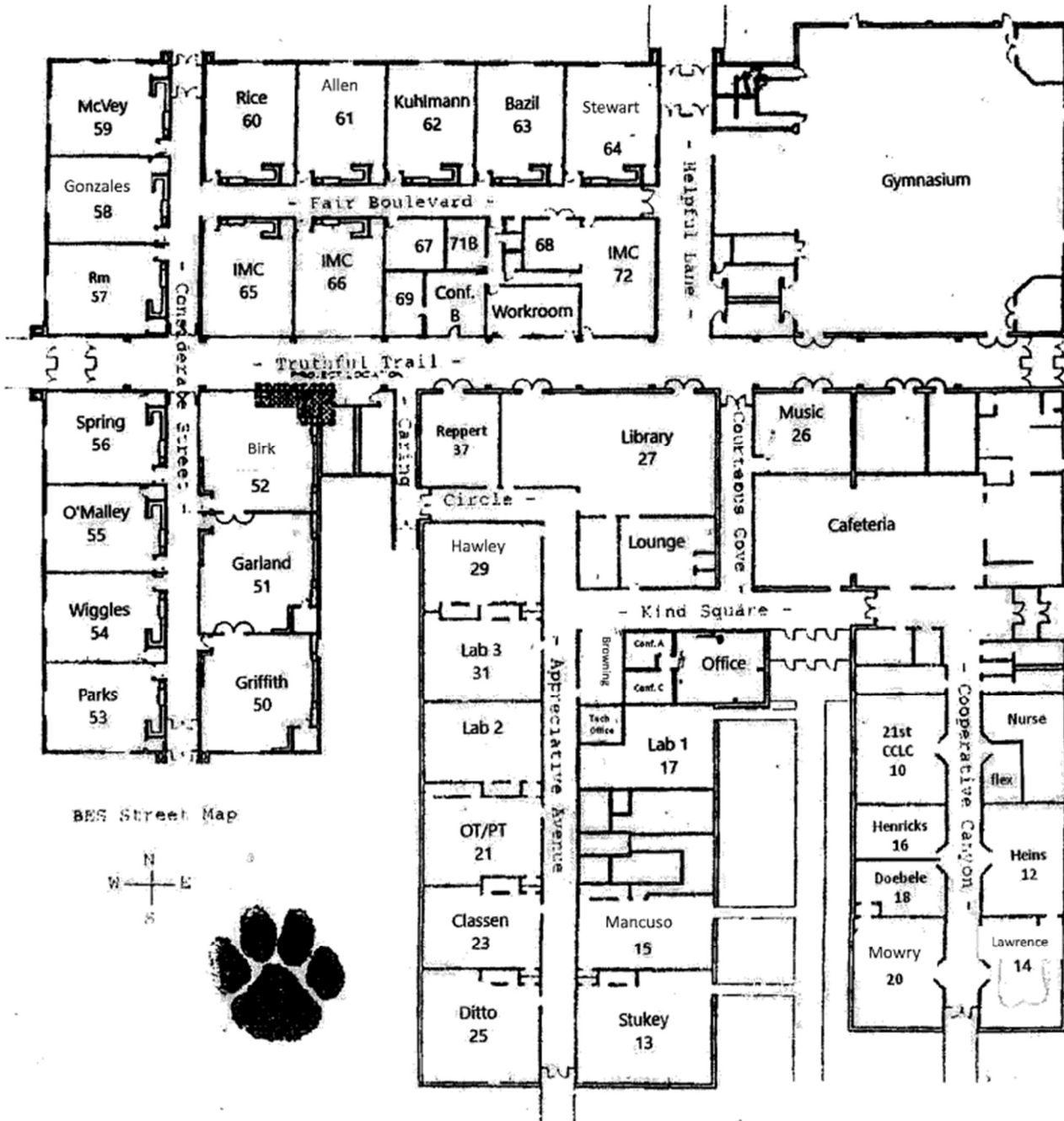
### EGRESS PLAN

In the event of a tornado or fire, students with severe multiple disabilities will be escorted to a designated place of safety by the teacher or teacher designee assigned to the individual student. Such students include any student with physical or severe mental disabilities.

### KEY TO FIRE & TORNADO DRILLS

1. Principal's Office	37. Link
3. Main Office	PE Office
5. Kitchen	Restroom
Storage & Bathroom	Restroom
Girl's Restroom	50. Griffith
Boy's Restroom	51. Garland
9. Cafeteria	52. Totty
10. 21 <sup>st</sup> Century	53. A. Birk
Teachers' Lounge	54. Motor Lab
12. Hegwald	55. Ditto
13. Stukey	56. Spring
14. Lawrence	57. Hoven-Special Education
15. Bohannan-Special Education	58. Gonzales
16. Heins	59. McVey
17. Computer Lab/Hernandez	60. Rice
18. Doebele	61. Racine
Computer Lab	62. L. Kuhlmann
20. Ford	63. Bazil
21. Belcher	64. Sturm
L.Garland	65. IDL Lab
23. Lundin	66. IDL Lab
Food Service Storage	67. Hind
24A Janitor Room	68. Mechanical Room
25. Higgins	69. Extended Learning
26. Dunaway - Music	70. Conference Room B

27. Allen - Library	71. Teacher Workroom
Media Center Office	71B Sprague
29. Hawley- Special Education	72. IMC
31. Computer Lab	73. Gymnasium
Kelley- Tech Office	73A Gymnasium Storage
Browning	



## Inclement Weather

In the event that school is dismissed due to inclement weather, the announcement will be made by 6:30 A.M. via Everbridge Alert, television station WIBW-Channel 13 (cable 12), and radio stations FM 94.5 Topeka, FM 101.7-Emporia, FM 104.9-Emporia, FM 97.7-Burlington, and AM 580-Topeka. If an announcement is not made via the Everbridge Alert or television/radio stations, school will be in session, and students should report to school at the regular starting time. If we should have to dismiss school during the school day due to the anticipation of weather conditions becoming more severe, an announcement will be made on the stations listed above and Everbridge Alert one hour in advance of dismissal. If early dismissal becomes a possibility, classroom teachers may contact parents/guardians to learn the after-school plans of the children. Please respond as quickly as possible to the teacher request to ensure your child reaches the appropriate destination. There is no 21<sup>st</sup> Century After-School program when school is dismissed early.

## Building Procedure for Early Release

During the past few school years, it has become necessary to release students from school one or two hours earlier than usual due to inclement weather conditions. Because it may be necessary, also, in the future to release students early, all building personnel and parents should know the procedure we will use for this situation.

### Procedure

1. The Central Office will notify the building principal one hour in advance of the anticipated school closing.
2. Staff and students will be notified via public address system that school will be released early and the time for release.
3. A task force team consisting of the school counselor, technology staff and special education teachers will report to the office for preparation of the early release.
4. The teachers are to immediately review the emergency plans with the students to make sure that the information is current. Any student who has a question about what they are to do may use the phone in the classroom to contact a parent or guardian.
5. The task force team will assist the students in finding phone numbers and in making appropriate phone calls.
6. Every effort will be made to not release any students to a school bus or to walk home until we are sure that someone will be home when they get there, or that they have another place to go.
7. Students must assume some responsibility in letting their teachers know that someone may not be home following the early release. This will enable the classroom teacher to be sure that the student is sent to the office so that the task force team can help them make a contact with a parent, babysitter, relative, etc.

## Release of Students for the School Day

The school acts as legal custodian of school children during the day, and custody of school children is released only to persons who are the child's legal custodians outside of school or to persons designated by the child's legal custodian.

Before approving request to release a student during the school day, the office must verify that such requests come from a legal custodian of the child. Once the relationship to the child has been verified, the office will notify the classroom teacher via the intercom, if the class is inside, or by providing a checkout/release slip, if the class is outside the school building.

## School Nurse

If a student desires to see the school nurse, he/she must first report to class and ask his/her teacher for a nurse note in order to proceed to the nurse's office. Permission must be granted by the classroom teacher. Instruct students to report directly to class after they have been taken care of by the nurse.

## Emergency Procedure for Students

If a student is injured or becomes ill during the school day, the following procedure will be followed:

1. Determine the nature of illness or injury.
2. If the student is able to move without risk, he or she should be sent to the nurse.
3. If the student cannot be moved, contact the school nurse.
4. Follow the directions of the school nurse in all cases.

## Medical Issues

### Medication:

Generally, the only medications that will be available to a student and stored in the nurse's office, is medication that is supplied by a parent and prescribed by a physician or other medical personnel authorized to prescribe medication. If there are any over-the-counter or prescription medications that children might need to take during school hours throughout the school year, a parent will need to sign the Permission for Medication form. This form is available from the nurse's office or the building office. Medication should be brought to the school in its original container. In regard to prescription medications, please ask the pharmacist to label a bottle for home and a bottle for school. The nurse's office will accept a current labeled pharmacy bottle in lieu of a physician's signature on the Permission for Medication form. Any changes in the type of medication, dosage, and/or time of administration shall be accompanied by a new Permission for Medication form as well as a newly labeled pharmacy container.

### Cough drops:

These are allowed to be kept in a student's backpack in the classroom, as long as the teacher is made aware that the cough drops are there and a student asks to get one out of the bag when needed. If a student is found to be misusing the cough drops (for example, sharing with other students or over using them), the cough drops will be kept in the nurse's office.

### Anaphylaxis treatment:

USD #244 needs to be equipped to treat anaphylaxis in children who have a history of allergies to a variety of agents (foods, bee stings, medications, etc.) To treat such a reaction, if it should occur during school hours, epinephrine shall be made available to the school nurse by the parents of the child with the allergy. On occasions that the student leaves the building for any event (such as a fieldtrip), the epinephrine will be sent with a staff member that has been trained on how to administer the medication and care for the child (per the child's anticipated health crisis plan) should an emergency situation occur.

### Illness:

Regular attendance at school is important. However, for his/her own interest and to prevent the spread of contagious diseases, your child should be kept home if he/she shows any of the following symptoms: fever (defined by the Centers for Disease Control and Prevention as a temperature of 100 degrees or greater), earache, diarrhea, sore throat, nausea, rash, cough, headache, runny nose, or pink/watery eye(s). If your child is kept home due to a fever or is sent home from school because of a fever, the child should be fever-free for 24 hours without

the use of a fever-reducing medication (per the flu guidelines published by the Centers for Disease Control and Prevention). The school does not diagnose disease. If your child develops any of the above symptoms after reaching school, you will be notified to come for him/her as soon as possible. If for any reason your child will be absent from school, the school office should be notified. This can be done by calling 620-364-8882, ext 1002 or 1003. You may refer to the “School Attendance Policy” for additional information regarding absences.

#### First Aid:

Only minimum first aid is given in case of injury. If illness or injury were to occur, the school nurse will be consulted and will make a determination concerning parent notification. Parents are asked to give the school an emergency telephone number. This should be the number of a relative or friend who might know where the parent can be reached in case of an emergency at school.

## Professionalism

It is about attitude, behavior, self-presentation; self-respect and dignity. It means not just knowing how to do your job, but demonstrating a willingness to learn, cooperating and getting along with others, showing respect, and living up to your commitments. It also means avoiding many kinds of behaviors that cause trouble in the workplace. Set a positive example for our students in how you treat others.

Chain of Command: Always start with those directly involved and at the lowest level.  
Student-Parent-Teacher-Building Principal-Superintendent-Board of Education

## Confidentiality

Do not share information with others that are not directly involved. If confidentiality is broken, please inform me of the situation. Information will be shared on a need to know basis as able to be shared.

## Staff Lounge

- Please clean up after yourself, especially dirty dishes, you used it/you clean it. Do NOT leave these items in the sink for others to do your work.
- Please only consume items that are yours for consumption. The staff lounge does not operate under the finders, keepers rule.

## Planning Time

Teachers are expected to utilize personal plan time planning lessons, conferencing with parents, grading papers, team planning, or planning for future classroom/school activities. Teachers are expected to remain within the building during this time, but if there are special circumstances and you need to step out for some time, the office must be notified.

## Daily Lesson Plans

Specific written lesson plans are required of all teachers. Lesson plans are expected to be available to the principal to access during any classroom observation. Principals are required to check lesson plans and grade books during observations, and adequacy of lesson plans will be reflected in formal teacher evaluations and observations. (See negotiated agreement.)

Lesson plans are to be written for a week at a time. All instructional lessons should have a clear measurable objective from the district curriculum. Lessons should be easily accessible should there be a substitute emergency.

## Staff Absences

- In case of illness, call or text Darla Long (620) 203-1331 to arrange for a substitute as early as possible (preferably the evening before, or at 6 am the morning of.) Do not wait until 7 am to notify the school of an absence. It is nearly impossible to locate a substitute on the morning of an absence.
- Arrangement for a substitute will be made upon approval of any request for leave via Red Rover.
- Leave Requests may be denied due to the lack of substitute availability.
- Teachers leaving the building during the duty day are to contact the office.

## Substitute Folder Procedures

Serving as a substitute teacher is one of the most difficult, and demanding jobs in education. The experience they have in our building, and your classroom will be shared with many others be it positive or negative. It is in the best interest of our students to always give substitutes the best plan by being prepared so they may have a positive experience while in our school.

### Sub Folders Expectations

#### Sub Folder Information

- a) Should be readily available for either a planned or unplanned absence.
  - b) Class roster with descriptions of students with special circumstances, for example allergies, SIT, SPED, those leaving the room at different times for interventions of special services
  - c) Emergency Procedures and maps to where they are to go; refer them to the flip chart
  - d) List of classroom rules and how to progressively handle the discipline in your classroom
  - e) List of procedures for students to be successful in your classroom
  - f) Any extra duties you may be assigned
  - g) All schedules (regular, early release, etc..)
- a) Detailed daily lesson plans; students should not lose valuable instruction time because of an absence
  - b) Name of a “go to” staff member if they have questions
  - c) Where they will be able to find all the materials they will need

## Burlington Elementary Field Trips

All field trips and activity trips shall be subject to the building administrator's approval. Field trips shall be a part of the instructional program. A pre-activity and post-activity shall be an integral part of each field trip. The principal shall review these activities, and all trips are subject to the principal's approval.

In-district field trips may be taken at any time with the approval of the principal and are subject to the same instructional guidelines as out of district field trips. After receiving approval from the building administrator, the secretary will arrange for any needed transportation.

Arrangement for buses shall be made for all field and activity trips at least 5 days in advance and will be arranged by the office.

REQUEST FOR FIELD TRIP

DATE \_\_\_\_\_

GRADE REQUESTING \_\_\_\_\_

FIELD TRIP DATE \_\_\_\_\_

WHERE \_\_\_\_\_

DEPARTURE TIME \_\_\_\_\_

SCHOOL ARRIVAL TIME \_\_\_\_\_

NUMBER STUDENTS \_\_\_\_\_

NUMBER TEACHERS \_\_\_\_\_

NUMBER PARAS \_\_\_\_\_

SPECIAL NEEDS:  
TRANSPORTATION: \_\_\_\_\_

MEDICAL: \_\_\_\_\_

MEALS: \_\_\_\_\_

OTHER: \_\_\_\_\_

OFFICE USE ONLY:

APPROVED \_\_\_\_\_

TRANSPORTATION ARRANGED \_\_\_\_\_

KITCHEN NOTIFIED \_\_\_\_\_

## Homework Policy

The philosophy of homework at Burlington Elementary is for students to practice and develop skills as appropriate at each grade level. Homework is designed to help foster study skills and engage parents in the educational process as well. Each grade level will assign homework consistently throughout the week, and it will be based on a skill that instruction has been provided on or an activity that is used to enhance student skill (reading fluency, math practice, etc).

Teachers recommend the following times for homework on a daily basis:

K-1: 10 to 15 minutes per day

2nd – 3rd: 15 to 20 minutes per day

4th: 30 minutes per day

More specific details regarding homework expectations and routines will be communicated in weekly notes from the grade level teachers. It is important to understand that additional work outside the “regular daily homework” may come home and add to the daily recommended time frame in the event that a student is not completing their work during class or has missed school.

Other voluntary participation activities such as “Book It” may also increase the time commitment.

## Make-Up Work

When students are ill or miss school for absences, they will be allowed to make up any missed work and receive credit for its completion. In grades K – 3, teachers will use their discretion on how make-up work is handled. For students in fourth grade, two school days are allowed for the completion of missed homework for one day absent. After this allowed time, a deduction in grade will occur at the following rate:

1 day late = 10% deduction

2 days late = 20% deduction

3 days late = 100% deduction and a 0 will be given for the assignment

This policy is put in place to help to prepare fourth grade students for the transition to the middle school. Parents are encouraged to check student progress regarding make up work by utilizing the on-line grade viewer.

## Grading Scales

K-2<sup>nd</sup> grade students receive student progress reports that contain a mastery of grade level objectives. The 3<sup>rd</sup> – 4<sup>th</sup> grade students at BES receive traditional letter grades in academic subjects. Students with disabilities are assessed according to their own goals, and these scores are documented on progress reports. Parents will receive progress reports at the end of each nine-week period. In addition, two

parent-teacher conferences are held during the school year to help keep parents informed of their child's educational development.

## GRADES 1 – 4

A 95 - 100	B+ 87 – 89	C+ 77- 79	D+ 69	F 64 & below
A - 90 - 94	B 83 - 86	C 73 - 76	D 66 - 68	
	B- 80 - 82	C- 70 - 72	D- 65	

## SPECIALS (K – 4)

E = Exceeds Standards

M = Meets Standards

U = Unsatisfactory

## Communication

### Between School and Home

Be open to parents and communicate on a regular basis as to what is happening with their child. Build positive working relationships by communicating early and often, you can always find a positive to communicate to parents and/or guardians.

### Communication at School

For an organization to be successful we must communicate effectively, with the understanding this is always an area of growth. Collectively, we together must be professional and honest, NO SUPRISES.

## Student Aides

- High school aides in the elementary school are to sign in and out both in the high school and the elementary school office. The sign-out sheets are located on the counters in the offices of both schools.
- If a high school aide does not show up, notify high school staff to check the reason for the student's absence.
- Aides who have homework to complete are to work in your classroom. Do not let them return to the high school where they would be unsupervised.
- Do not allow students to return to the high school early.
- If you allow a student to aide for you, be sure that you have something to keep them busy. Aiding should involve regular work, not excessive free time.
- High school aides need to be made aware of our dress codes and codes of conduct, including confidentiality.

## Building Security and Maintenance

- Teachers who work in the building during times when there are no custodians on duty are responsible for building security. Please be sure that the outside door through which you exit is securely locked before leaving.
- Do not give building access to anyone who is not a staff member at BES.
- Keep any building keys checked out in your name in a safe location. Do not give students access to your building keys without adequate supervision.
- Staff badges are to be worn at all times during the duty day. If you forget or misplace yours, please obtain a generic staff badge to wear on that day.

## Acceptable Use of Computers

Teachers and students shall have no expectation of privacy when using district internet service, e-mail, computer systems, or electronic devices. E-mail messages shall be used only for approved educational purposes. Students must use appropriate language in all messages. Students are expected to use the system following guidelines approved by teachers or the administration.

Any e-mail or computer application, or information in district computers, on district electronic devices, or in district computer systems is subject to monitoring by the staff and/or administration. The school retains the right to duplicate any information created by students in a computer system or on any individual computer or electronic device. Students who violate these rules or any other classroom rules relating to computer use are subject to disciplinary action up to, and including, suspension from school, and staff are subject to disciplinary action up to and including suspension and/or termination from employment.

## Party Policy

FALL: Students will have a fall parade with a classroom party. Students will be allowed to change into their costumes and will parade down Neosho Street before having their party in the classroom.

WINTER: Students will have a winter classroom party in the classroom. This party will begin at 2:30 p.m. Morning preschoolers will begin their party at 10:30 a.m.

VALENTINE'S DAY: There will be a classroom party for Valentine's Day. Parties will begin at 2:30 p.m. Morning preschoolers will begin their party at 10:30 a.m.

BIRTHDAYS: Students may bring treats on their birthday. Parents must notify the teacher in advance of bringing the treats so that they can be sure nothing being brought will be a health risk to any of the students in the classroom.

GIFTS: No personal gifts are to be delivered to the school for any student. Since the students have no storage area in the classroom, such gifts cause a disruption to the classroom environment.

## Media Center Policy

The school library media center program plays a critical role in teaching and learning activities. The program provides for continuous instruction in media skills and teaches responsibility for loan procedure. It promotes good reading, listening, and viewing habits and encourages a lasting interest in authors and books. In order to build an appreciation for these purposes the following procedures will be followed:

1. Books will be checked out for a period of two weeks.
2. Reference books and periodicals will be checked out for in-school use only.
3. Students must return books that are checked out before any others can be issued.
4. Each student must check out his/her own books. Students are not permitted to check out books for each other.
5. Students losing or damaging books will be required to pay for them. Check out privileges will be denied until said matter is resolved.

## Playground Rules

The playgrounds at Burlington Elementary School are not open for student play until the school day begins at 8:00. Students that are dropped off before the start of the day are expected to refrain from play and stay off of all equipment. The East playground is closed to the public on days school is in session from 7:30 am to 5:30 pm due to the After School Program.

1. Safety and sportsmanship will be demonstrated at all times.
2. Use equipment as it is designed. Only school provided equipment will be allowed at recess.
3. At all times demonstrate responsible behavior.
4. Absolutely no profanity.
5. No student is to leave the playground without permission from a duty teacher.
6. No fighting or horseplay.
7. No climbing up slides.

## Outdoor Recess Guidelines

Outdoor recess will be held if:

- Outside air temperature and/or wind chill is 32 degrees (F) or greater
- There is no falling precipitation
- There is no heat index warning

Limited outdoor recess will be held if (5 to 10 min max)

- Outside air temperature and/or wind chill is between 25 degrees and 31 degrees (F)
- There is no falling precipitation
- There is a heat index warning

Indoor recess will be held if

- Outside air temperature and/or wind chill is lower than 24 degrees or there is falling precipitation

## SIT Team Procedures

Classroom teachers refer students to the SIT team by following the process detailed below. Referrals may occur collaboration with support teachers. The referring party is responsible for getting permission (verbal or written) from parent/guardian for the team to discuss the student and have completed the form. Following the meeting, the teacher is expected to communicate follow-up and recommendations from the team back to the parents. Dates for SIT team meeting are determined at the start of the year and calendar invites are sent. Agendas are due 24 hours ahead of the meeting. (ex. Monday meetings means agendas are due on Friday) Students will not be discussed in any manner if they were not sent to the team on an agenda. If your team does not refer any students, teachers will need to be noticed so that services may resume.

Students that are receiving any type of intervention (Title Services, At- Risk support, Enrichment Services, Counseling services) should have these documented and have a file in place.

\*\*Prior to bringing a student to SIT, certified staff must have parent/guardian consent on record. Prior to meeting, certified staff must complete the form in Educlimber.

\*\*If a student is on the agenda, it is implied that consent has been granted and Educlimber form has been completed.

1. Login to educlimber (if you have trouble accessing, Contact Courtney)
2. Choose the student
3. On the left hand side, scroll to forms and click on it
4. If a form is already created, double click on it to fill in new information
5. If it is a new referral, Click on New Form at the top
6. Choose BES SIT form and Title the form with the Students name, Click Create
7. This will create a template, double click on the students name
8. Once in the form, complete all the necessary text boxes down to MEETING NOTES.
9. The section from MEETING NOTES and beyond will be filled out at the actual meeting
10. The form auto saves so when your form is complete just click on the X in the top right hand corner!

## Behavior Code

Guidelines for certain disciplinary infractions are outlined below. The following are the descriptions of the offenses and possible penalties that may be assigned for these infractions. Penalties for student behavior is assigned at the discretion of the building administrator.

<u>Offense</u>	<u>Potential Penalty</u>
Weapons Violation	Long term sus./expulsion
Setting a Fire	Long term sus./expulsion
Threat	Long term sus./expulsion
Selling or soliciting the sale of illegal drugs on school property	Long term sus./expulsion
Knowingly possessing or using illegal drugs	10 days suspension

Alcohol	1-5 days suspension
Fighting or provoking a fight	1-5 days suspension
Tobacco	1-5 days suspension
Theft	1-5 days suspension
Disrespect & Insubordination	Detention/suspension
Destruction of Property	Detention/suspension
Intimidation of Student/Harassment/Bullying	Detention/suspension
Disruptive Behavior	Detention
Skipping Class or School	Detention/suspension
Inappropriate Language	Detention
Bus Referral	Loss of bus riding privileges Other
Violations, such as:	
Display of affection	Loss of privileges/Detention
Computer network violation	
Lying/Cheating	
Cafeteria Violations	
Excessive Tardies	

The above penalties listed are examples only. Severe or repeated infractions or any activity that may jeopardize the safety of students or adults or disrupt the educational activities in the school may be dealt with through suspension, expulsion, and/or referral to law enforcement.

The accumulation of discipline infractions may lead to suspension from school. Such suspensions may be in-school suspension (ISS) or out-of-school suspension (OSS).

The building administration reserves the right to deviate from the above point system of discipline in specific instances where the severity of the offense warrants further or different action. The building principal will make such determination. In all cases, the point system described herein is subject to the policies of the board of education and the laws of the State of Kansas.

## Detention

Should it be necessary for any teacher to detain a student after school hours, prior notice will be given to the parents.

## Negotiations

The Burlington Unified Teacher Association is recognized as the bargaining agent for teachers in the Burlington schools. Under the laws of the state, teachers have the right to join the local teacher association or not to do so. The Board of Education offers the same rights and privileges to all teachers regardless of whether they are members of the local teachers association.

## Parent/Teacher Conferences

Formal parent conferences are scheduled once each semester for grades PreK-4. Teachers need to learn the mechanics of planning and conducting effective parent conferences. A well-planned conference can be an effective means of gaining confidence and respect of parents. Please notify your principal at once if at any time during a conference a parent makes abusive or threatening remarks to you. Teachers are expected to stay on duty for the duration of the conference time scheduled. Per the negotiated agreement, leave cannot be taken on PT conference time unless approved by the superintendent.

Whenever you have contact with a parent, make sure you document it, if not it did not happen. Please take detailed notes regarding what is discussed.

### Purpose of Conferences

1. To help parents develop an objective assessment of the student's abilities
2. To acquaint the parent with the student's present status in his education
3. To cooperatively establish specific objectives for the student's growth
4. To cooperatively make plans for the achievement of the established objectives
5. To give the student a sense of confidence through realization that home and school are working together
6. To provide a time for parents to share information with the teacher

### Planning and Conducting the Conference

1. Review school records and consult with appropriate school personnel
2. Decide what needs to be discussed
3. Arrange a comfortable place for the conference
4. Plan for positive statements about the student. A good "rule of thumb" is three positives for every negative.
5. When planning for positive statements and the stating of concerns, be prepared with specifics that explain general statements.
6. Discuss the upcoming conference with the student giving as much information as appropriate
7. Determine if the student will be involved as a participant in the conference
8. Summarize the contents of the conference and place in the student's permanent folder after the conference is held. Use the conference forms in the office and make a copy available to the parents.
9. The building principal is always willing to participate in student conferences.
10. Optional parent conference training will be provided prior to student conferences.

### Suggestions for a Successful Conference

1. Greet parents in a friendly way with a "warm-up" topic to start the conversation flowing.
2. Begin and end the conference with a positive encouraging statement to keep parents from becoming overwhelmed or defensive.
3. Try not to push your thinking onto a parent, but let any advice grow out of mutual discussion and a growing insight about the student. Direct advice may be considered by parents as a criticism.
4. Try to understand how a parent is feeling about the student. This will help you understand the student's actions.
5. Listen to the parents' concerns about school. Accept them as evidence of concern and suggestions to be considered.
6. Listen, listen, and listen.
7. Agree with the parents whenever possible. When the answer must be "no," word it thoughtfully and carefully.
8. Avoid discussing other children. If parents bring up another child in an inappropriate manner, tell them that you do not feel comfortable discussing other children with them, just as you would not discuss their child with someone else.

9. Do not criticize or blame past school experiences or teachers. Such comments have a negative effect on the entire school and destroy confidence.
10. Follow-up on the conference. Write down what was discussed. If you have promised to do something, be sure it gets done and let the parents know that you have followed up with your promise.

## Child Abuse (Responsibilities for Reporting Suspected Abuse or Neglect)

When a teacher, school administrator, or any other employee of a school has reason to suspect physical abuse, mental abuse, emotional abuse, sexual abuse, or neglect, the employee must report the suspected abuse immediately.

The procedure for reporting suspected abuse is to immediately notify the PRINCIPAL and/or COUNSELOR of suspected abuse and confer with them regarding the process of reporting to DCF. If the principal and the counselor are not available, the employee is to report the suspected abuse immediately. Staff members need to document in writing all observations relating to this area.

Do not inform the parent that suspected abuse has been or will be reported. Discussing the matter with the parent when the parent is the suspected abuser may hamper the investigation or even endanger the child.

The school counselor or principal can help you access the phone number or web site to make a report. Make a note of the Case # assigned to your report. You are asked to share this information with your building principal.

Each individual who suspects child abuse has a legal responsibility to report to DCF.

## Lactation Accommodations

The board recognizes that it is important for mothers to have the option and ability to express milk in the workplace and that Kansas and federal law encourages this practice. Therefore, the board directs the superintendent to take measures to ensure district employees who are nursing mothers be provided with an adequate location for the expression of milk and reasonable break times for doing so for at least one year after the birth of the employee's child.

The superintendent or the superintendent's designee shall see that the district makes a reasonable effort to provide a place, other than a restroom, which is shielded from view, free from intrusion from coworkers and the public, and may be used by the employee to express milk during this timeframe.

Employees must give their supervisor notice of the need for lactation accommodations, preferably prior to return to work following the birth of the employee's child(ren), to allow supervisors the opportunity to establish a location and to attempt to work out scheduling issues. Employees utilizing these accommodations are also responsible for maintaining the designated area by wiping utilized surfaces with disinfectant wipes after each use so the area is clean for the next user.

No employee shall be discriminated against for expressing milk during the work day, and reasonable effort will be made by the employee's supervisor to provide flexibility in the employee's work schedule in consideration of the requirements of the staff member's responsibilities and the availability of staff members to cover those duties, as necessary.

Employees shall use usual break and meal periods for expressing milk, when possible. If additional time is needed beyond the provided breaks, employees may use personal leave or may make up the time as negotiated with their supervisors. Federal law does not require the district to compensate non-exempt staff members for work time spent expressing milk.

Location-TBD with building admin (room 10, conference room C, etc)

NOTE: The location selected for this purpose should have an electrical outlet or access to electricity through the provision of extension cord(s); proximity to clean water; adequate lighting; a chair and a small table, counter, or other flat surface for the employee’s use; and either a door equipped with a functional lock or a sign the employee may post on the exterior of the location advising that it is in use and not accessible.

### Observation for Evaluation of Teachers

Teachers are to be thoroughly familiar with the district policy for evaluation of personnel. Classroom management skills, planning for instruction, and demonstrated ability to motivate students with challenging instructional material are highly important items to be evaluated.

As per the negotiated agreement:

- Employees in their first two consecutive years of employment in the district shall have at least one evaluation per semester. Each evaluation shall be within the first 60 days of the semester.
- Employees in their third and fourth years of employment in the district shall have at least one evaluation per year. This evaluation is to be completed by Feb. 15.
- After the fourth year of employment, employees shall be evaluated at least once every three years or as determined necessary by the board and/or administrators.

<b>ES Teacher Evaluation Schedule</b>		
<b>25-26</b>	<b>26-27</b>	<b>27-28</b>
Amanda Bohannan (2*)	Amanda Bohannan (3*)	Amanda Allen
Amy Ditto	Cindy Doebele	Lanette Bazil
Kimberly Dunaway (2*)	Kimberly Dunaway(3*)	Amy Birk
Jordan Ford (1*)	Jordan Ford (2*)	Amanda Bohannan (4*)
Denise Garland	Kathy Freeman	Kimberly Dunaway (4*)
Jessica Griffith	Julie Hawley (3*)	Jordan Ford (3*)
Julie Hawley (2*)	Macey Hegwald (4*)	Megan Gonzales
Macey Hegwald (3*)	Samantha Hoven (3*)	Julie Hawley (4*)
Stacy Heins	Makayla Lundin (4*)	Samantha Hoven (4*)
Samantha Hoven (2*)	Sarah Racine (2*)	Lisa Kuhlmann
Makayla Lundin (3*)	Megan Sturm (2*)	Sarah Racine (3*)
Katelyn Lawrence (4*)	Masie Totty (2*)	Jennifer Rice
Samantha McVey		Megan Sturm (3*)
Sarah Racine (1*)		Masie Totty (3*)
Sarah Spring		

Megan Sturm (1*)		
Masie Totty (1*)		
First 2 years = one evaluation per semester within 60 days of each semester. <b>Nov. 17 and March 30</b>		
3rd and 4th year = one evaluation before <b>Feb. 15.</b>		
Every 3rd year thereafter staff will be evaluated before <b>Feb. 15.</b>		

### Discriminatory Conduct and Harassment:

Conduct which discriminates against another individual in the school on the basis of sex, race, color, national origin, religion, or disability is strictly prohibited. Students engaging in discriminatory actions, including harassment on any of these grounds, will be subject to discipline, up to and including suspension or expulsion from school.

#### Sexual Harassment:

The board of education is committed to providing a positive and productive working and learning environment, free from discrimination on the basis of sex, including sexual harassment. The district does not discriminate on the basis of sex in admissions, employment, or the educational programs or activities it operates and is prohibited by Title IX from engaging in such discrimination. Discrimination on the basis of sex, including sexual harassment, will not be tolerated in the school district. Discrimination on the basis of sex of employees or students of the district by board members, administrators, licensed and classified personnel, students, vendors, and any others having business or other contact with the school district is strictly prohibited.

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

It shall be a violation of this regulation for any student, employee or third party (visitor, vendor, etc.) to sexually harass any student, employee, or other individual associated with the school. It shall further be a violation for any employee to discourage a student from filing a complaint, or to fail to investigate or refer for investigation, any complaint lodged under the provisions of this policy. Violation of this policy by any employee shall result in disciplinary action, up to and including termination.

Sexual harassment shall include – conduct on the basis of sex involving one or more of the following (1) a district employee conditioning the provision of aid, benefit or service of the district on an individual’s participation in unwelcomed sexual conduct; (2) unwelcomed conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district’s educational program or activity; or (3) sexual assault, dating violence, domestic violence, or stalking.

Sexual harassment may result from verbal or physical conduct or written or graphic material. Sexual harassment may include- but is not limited to: verbal harassment or abuse of a sexual nature, pressure for sexual activity; repeated remarks to a person- with sexual or demeaning implication; unwelcome touching; or suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning a employee's job status.

The district encourages all victims of sexual harassment and person with knowledge of such harassment to report the harassment immediately. Complaints of sexual harassment will be promptly investigated and resolved Any person may make a verbal or written report of sex discrimination by any means and at any time.

Craig Marshall, Superintendent, 200 S. 6<sup>th</sup>, Burlington, KS 66839, [cmarshall@usd244ks.org](mailto:cmarshall@usd244ks.org), 620-364-8548 has been designated to coordinate compliance with nondiscrimination requirements contained in the Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1967, and the Kansas Act Against Discrimination. Information concerning the provisions of these Acts, and the rights provided thereunder, are available from the Title IX

Coordinator. Inquiries about the application of the Title IX to the district may be referred to the Title IX Coordinator; to the Assistant Secretary for Civil Rights at the U.S. Department of Education, Office of Civil Rights, 400 Maryland Avenue, SW, Washington D.C. 20202-1100, (800) 421-3481, or at [OCR@ed.gov](mailto:OCR@ed.gov); or both.

#### Response to Harassment Complaints:

The district takes all reports of sexual harassment seriously and will respond meaningfully to every report of discrimination based on sex, including sexual harassment, of which the district has actual knowledge. Employees who believe they have been subjected to sexual harassment should discuss the problem with their immediate supervisor. If an employee's immediate supervisor is the alleged harasser, the employee should discuss the problem with the building administrator or the Title IX Coordinator. All employees receiving reports of alleged sexual harassment shall notify the Title IX Coordinator.

#### Definitions

The following definitions apply to the district in responding to complaints of sexual discrimination including sexual harassment as defined by Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, and the Kansas Act Against Discrimination.

The "complainant" means an individual who is alleged to be a victim of conduct that could constitute sexual harassment.

"Dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved.

The "decision-maker" reviews all the evidence and prepares an impartial written responsibility determination as to whether the alleged conduct occurred and provides an opportunity for the

parties representatives to prepare written questions to be answered by the other party. The decision-maker shall not be the Title IX Coordinator or investigator.

“Domestic violence” includes crimes of violence committed by a person who is a current or former spouse, partner, person with whom the victim shares a child, or who is or has cohabited with the victim as a spouse or partner, by a person similarly situated to a spouse of the victim under Kansas or applicable federal law, or by any other person against an adult or youth victim having protection from such person’s acts by Kansas or applicable federal law.

A “formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the district investigate the allegation of sexual harassment.

The “investigator” is the person who carries out the investigation after the formal complaint is filed and conducts interviews of the witnesses, collects and documents evidence, and drafts an investigative report.

A “respondent” is an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

“Sexual assault” means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

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

The “Title IX Coordinator” is the individual designated at the district level who has responsibility to coordinate compliance with Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, and the Kansas Act Against Discrimination. The Title IX Coordinator’s responsibilities include, but are not limited to: developing materials and ensuring professional development occurs for staff involved in Title IX compliance, creating systems to centralize records, gathering relevant data, contacting the complainant (and/or parents or guardians, if applicable) once the district has actual knowledge of alleged sexual harassment, coordinating the implementation of supportive measures, signing a formal complaint to initiate a grievance process and ensuring any remedies are implemented.

The Title IX Coordinator, any investigator, decision-maker, or any person who facilitates an informal resolution process shall not have a conflict of interest or bias for or against the complainant or respondent. These individuals shall receive training on the definition of sexual harassment; the scope of the education program and activities; how to conduct an investigation, including appeals and informal resolution processes; and how to serve impartially, including by avoiding prejudgment of the facts, conflicts of interest, and bias. Decision-makers shall receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant. Investigators shall receive training on issues of relevance of questions and evidence in order for them to create investigative reports that fairly summarize relevant evidence.

Any employee who witnesses an act of sexual harassment or receives a complaint of harassment from another employee or a student shall report the complaint to their immediate supervisor, building administrator, or Title IX Coordinator. Employees who fail to report complaints or incidents of sexual harassment to appropriate district officials may face disciplinary action. District officials who fail to investigate and take appropriate corrective action in response to complaints of sexual harassment may also face disciplinary action.

Complaints received will be investigated to determine whether, under the totality of the circumstances, the alleged behavior constitutes sexual harassment under the definition outlined above. Unacceptable conduct may or may not constitute sexual harassment, depending on the nature of the conduct and its severity, pervasiveness and persistence. Behaviors which are unacceptable but do not constitute harassment may also result in employee discipline.

If discrimination or harassment has occurred, the district will take prompt, remedial action to stop it and prevent its reoccurrence.

The Title IX Coordinator shall promptly respond in a meaningful way to any reports of sexual discrimination including sexual harassment of which the district has actual knowledge as follows:

- Contact the complainant within 10 business days and discuss the availability of supportive measures, with or without the filing of a formal complaint, and consider the complainant's wishes as to supportive measures; and
- Inform the complainant of the right to a formal complaint investigation consistent with Title IX and the informal resolution process.

#### Supportive Measures

The district will treat the complainant and respondent equitably by offering supportive measures. These non-disciplinary and non-punitive measures will be offered as appropriate, as reasonably available, and without cost to the complainant or the respondent. Supportive measures are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party. "Supportive Measures" shall include, but not be limited to, measures designed to protect the safety of all parties, to protect the district's educational environment, or to deter sexual harassment. These measures may include counseling, extensions of deadlines or course-related adjustments, modifications of work or class schedules, escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring, and other similar measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

#### The Formal Complaint

No investigation of alleged sexual harassment may occur until after a formal complaint has been filed.

A formal complaint is a document filed by the complainant or signed by the Title IX Coordinator alleging sexual harassment and requesting an investigation. The procedures for filing a formal complaint are as follows:

- At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the district concerning which the formal complaint is filed.
- A formal complaint should be filed in writing and contain the name and address of the person filing the complaint. The complaint should briefly describe the alleged violation. Filing of the complaint with the Title IX Coordinator may be done in

person, by mail, or by email. If an individual does not wish to file a written complaint, and the matter has not been adequately resolved, the Title IX Coordinator may initiate the complaint. Forms for filing written complaints are available in each school building office and the central office.

- A complaint should be filed as soon as possible after the conduct occurs, but not later than 180 calendar days after the complainant becomes aware of the alleged violation, unless the conduct forming the basis for the complaint is ongoing.
- An investigation shall follow the filing of the complaint. If the complaint is against the superintendent, the board shall appoint an investigating officer. In other instances, the investigation shall be conducted by a qualified individual designated by the Title IX Coordinator or another individual appointed by the board. The investigation shall be thorough. All interested persons, including the complainant and the respondent, will be afforded an opportunity to submit written or oral evidence relevant to the complaint.

### Formal Complaint Notice Requirements

Upon filing of a formal complaint, the district shall provide written notice to the known parties including:

- Notice of the allegations of sexual harassment including sufficient details to prepare a response before any initial interview including:
  - the identities of the parties involved, if known;
  - the conduct allegedly constituting sexual harassment; and  the date and location of the alleged incident, if known.
- The district's investigation procedures, including any informal resolution process;
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation;
- Notice to the parties they may have an advisor of their choice and may inspect and review any evidence; and
- Notice to the parties of any provision in the district's code of conduct or policy that prohibits knowingly making false statements or knowingly submitting false information.

If, in the course of an investigation, the investigator decides to investigate allegations about the complainant or respondent that are not included in the notice initially provided, notice of the additional allegations shall be provided to known parties.

### Formal Complaint Investigation Procedures

To ensure a complete and thorough investigation and to protect the parties, the investigator shall:

- Ensure that the preponderance of the evidence burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the district and not the parties;
- Provide an equal opportunity for the parties to present witnesses and evidence;
- Not restrict either party's ability to discuss the allegations under investigation or to gather and present relevant evidence;
- Allow the parties to be accompanied with an advisor of the party's choice;

- Provide written notice of the date, time, location, participants, and purpose of any interview, meeting, or hearing at which a party is expected to participate;
- Provide the parties equal access to review all the evidence collected which is directly related to the allegations raised in a formal complaint, including the investigative report, and the opportunity to respond to that evidence before a determination is made;
- Be impartial and objectively evaluate all relevant evidence without relying on sex stereotypes;
- Not have conflicts of interest or bias for or against complainants or respondent;
- Not make credibility determinations based on the individual's status as complainant, respondent, or witness.

### Formal Complaint Investigation Report

The investigator shall prepare an investigative report that fairly summarizes relevant evidence and share the report with the parties and their advisors for review and response.

Before completing the investigative report, the investigator must send each party and their advisors the investigative report for review and allow the parties 10 days to submit a written response for the investigator's consideration. The investigator's written report shall include an objective evaluation of all relevant evidence using a preponderance of the evidence standard to determine responsibility.

### Decision-Maker's Determination

Upon receiving the investigator's report, the decision-maker must make a determination regarding responsibility and afford each party the opportunity to submit written, relevant questions that the parties want asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions.

The decision-maker must issue a written determination regarding responsibility based on a preponderance of the evidence. The decision-maker's written determination shall:

- Identify the allegations potentially constituting sexual harassment;
- Describe the procedural steps taken, including and any notifications to the parties, site visits, methods used to gather evidence, and interviews;
- Include the findings of fact supporting the determination;
- Address any district policies and/or conduct rules which apply to the facts;
- Address each allegation and a resolution of the complaint including a determination regarding responsibility, the rationale therefor, any disciplinary sanctions imposed on the respondent, and whether the remedies are designed to preserve access to the educational program or activity will be provided by the district to the complainant; and
- The procedures and permissible bases for the complainant and/or respondent to appeal the determination.

A copy of the written determination shall be provided to both parties simultaneously.

The range of disciplinary sanctions and remedies may include, but may not be limited to, supportive measures, short term suspension, long term suspension, expulsion for students, and/or termination for employees. Complainants and respondents shall be treated equitably by providing remedies to a

complainant where a determination of responsibility for sexual harassment has been made. The Title IX Coordinator is responsible for the effective implementation of any remedies. If the investigation results in a recommendation that a student be suspended or expelled, procedures outlined in board policy and state law governing student suspension and expulsion will be followed.

If the investigation results in a recommendation that an employee be suspended with or without pay or terminated, procedures outlined in board policy, the negotiated agreement (as applicable), and/or state law will be followed.

Records relating to complaints filed and their resolution shall be maintained by the Title IX Coordinator for seven years.

The decision becomes final on the date the parties receive the results of an appeal, if any appeal is filed, or on the date the opportunity for an appeal expires. Appeals

The complainant or respondent may appeal the decision-maker's determination regarding responsibility or a dismissal of a formal complaint, on the following base:

- Procedural irregularity that affected the outcomes;
- New evidence that was not reasonably available at the time that could affect the outcome; and/or
- The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias against either party that affected the outcome.

The request to appeal shall be made in writing to the Title IX Coordinator within 20 days after the date of the written determination. Appeals shall be on the record and heard by an attorney, an independent hearing officer appointed by the board, or the board. The appeal decision-maker may not be the Title IX Coordinator, the Investigator, or the decision-maker from the original determination.

The appeal decision-maker will issue a written decision within 30 days after the appeal is filed. The appeal decision-maker will describe the result of the appeal and the rationale for the result.

The appeal decision-maker shall:

- Review the evidence gathered by the investigator, the investigator's report, and the original decision-maker's determination;
- Notify both parties in writing of the filing of an appeal and give them 10 days after the appeal is filed to submit further evidence in writing;
- Not have a conflict of interest or bias for or against complainant or respondent and receive the required training;
- Issue a written decision and the rationale for the decision within 30 days after the appeal is filed;
- Describe the result of the appeal and the rationale for the result in the decision; and
- Provide the written decision simultaneously to both parties and to the Title IX Coordinator.

#### Informal Resolution Process

At any time during the formal complaint process and prior to reaching a determination regarding responsibility, the district may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and determination of responsibility.

The informal resolution process may be facilitated by a trained educational professional, consultant, or other individual selected by the Title I Coordinator under the following conditions:

- The parties are provided a written notice disclosing the allegations, the requirements of the informal resolution process, information on when it may preclude the parties from resuming a formal complaint arising from the same allegations;
- At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the investigation of the formal complaint and be informed of any consequences resulting from participating in the informal resolution process;
- The parties voluntarily and in writing consent to the informal resolution process; and
- The informal resolution process cannot be used to resolve allegations that an employee sexually harassed a student.

If the matter is resolved to the satisfaction of the parties, the facilitator shall document the nature of the complaint and the proposed resolution, have both parties sign the documentation and receive a copy, and forward it to the Title IX Coordinator. Within 20 days after the complaint is resolved in this manner, the Title IX Coordinator shall contact the complainant to determine if the resolution of the matter remains acceptable. If the matter is not resolved, or if the individual does not believe the resolution remains acceptable within 20 days after the informal resolution document is executed, the individual or the Title IX Coordinator may proceed with the formal complaint process.

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

Use of this complaint procedure is not a prerequisite to the pursuit of any other remedies including the right to file a complaint with the Office for Civil Rights of the U.S. Department of Education, the Equal Employment Opportunity Commission, or the Kansas Human Rights Commission.

Initiation of a complaint of sexual harassment in good faith will not adversely affect the job security or status of an employee, nor will it affect his or her compensation. Any act of retaliation or discrimination against any person who has filed a complaint or testified, assisted, or participated in any investigation, proceeding, or hearing involving sex discrimination including sexual harassment is prohibited. Any person who retaliates is subject to immediate disciplinary action, up to and including termination of employment.

To the extent possible while still following the above procedures, confidentiality will be maintained throughout the investigation and resolution of a complaint. The desire for confidentiality must be balanced with the district's obligation to conduct a thorough investigation, to provide supportive measures to both parties, to take appropriate corrective action, and to provide due process to the complainant and the respondent.

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

A summary of this policy and the complaint procedures including how to report or file a formal complaint of sex discrimination or sexual harassment shall be posted in each district facility, shall

be published in employee handbooks, and on the district's website as directed by the Title IX Coordinator. Notification of the policy may include posting information notices, publishing in local newspapers, publishing in newspapers and magazines operated by the school, or distributing memoranda or other written communications to students and employees. In addition, the district is required to include a statement of nondiscriminatory policy in any bulletins, announcements, publications, catalogs, application forms, or other recruitment materials that are made available to participants, students, applicants, or employees.

#### Racial and Disability Harassment:

The board of education is committed to providing a positive and productive working and learning environment, free from discrimination, including harassment, on the basis of race, color, national origin, or disability. Racial and disability harassment will not be tolerated in the school district. Racial or disability harassment of employees or students of the district by board members, administrators, certified and support personnel, students, vendors, and any others having business or other contact with the school district is strictly prohibited.

Racial harassment is unlawful discrimination on the basis of race, color or national origin under Titles VI and VII of the Civil Rights Act of 1964, and the Kansas Acts Against Discrimination.

#### Disability

harassment is unlawful discrimination on the basis of disability under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. All forms of racial and disability harassment are prohibited at school, on school property, and at all school-sponsored activities, programs or events. Racial or disability harassment against individuals associated with the school is prohibited, whether or not the harassment occurs on school grounds.

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

Violations of this policy by any employee shall result in disciplinary action, up to and including termination.

Harassment prohibited by this policy includes racially or disability-motivated conduct which:

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

Is sufficiently severe, pervasive or persistent so as to have the purpose or effect of interfering with an individual's work performance or employment opportunities.

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

The district encourages all victims of racial or disability harassment and persons with knowledge of such harassment to report the harassment immediately. Complaints of racial or disability harassment will be promptly investigated and resolved.

Employees who believe they have been subjected to racial or disability harassment should discuss the problem with their immediate supervisor. If an employee's immediate supervisor is the alleged harasser, the employee should discuss the problem with the building principal or the district compliance coordinator. Employees who do not believe the matter is appropriately resolved through this meeting may file a formal complaint under the district's discrimination complaint procedure in policy KN.

Complaints received will be investigated to determine whether, under the totality of the circumstances, the alleged behavior constitutes racial or disability harassment under the definition outlined above. Unacceptable conduct may or may not constitute racial or disability harassment, depending on the nature of the conduct and its severity, pervasiveness and persistence. Behaviors which are unacceptable but do not constitute harassment may also result in employee discipline.

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

Any employee who witnesses an act of racial or disability harassment or receives a complaint of harassment from another employee or a student shall report the complaint to the building principal. Employees who fail to report complaints or incidents of racial or disability harassment to appropriate school officials may face disciplinary action. School administrators who fail to investigate and take appropriate corrective action in response to complaints of racial or disability harassment may also face disciplinary action, up to and including termination.

Initiation of a complaint of racial or disability harassment in good faith will not adversely affect the job security or status of an employee, nor will it affect his or her compensation. Any act of retaliation or discrimination against any person who has filed a complaint or testified, assisted, or participated in any investigation, proceeding, or hearing involving a racial or disability harassment complaint is prohibited. Any person who retaliates is subject to immediate disciplinary action, up to and including termination from employment.

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

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

#### About Discrimination or Discriminatory Harassment:

Complaints of discrimination or discriminatory harassment by an employee should be addressed to the employee's supervisor, the building principal, or the district compliance coordinator. Complaints by a student should be addressed to 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 of the complaint to the building principal. If the building principal is the alleged harasser, the complaint shall be reported to the district compliance coordinator. Complaints by

any other person alleging discrimination should be addressed to the building principal or the district compliance coordinator.

If discrimination or harassment has occurred, the district will take prompt, remedial action to prevent its reoccurrence. 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 discrimination, including complaints of harassment, will be resolved through the following complaint procedures:

#### Informal Procedures:

The building principal shall attempt to resolve complaints of discrimination or harassment in an informal manner at the building level. Any school employee who receives a complaint of discrimination harassment from a student, another employee or any other individual shall inform the individual of the employee's obligation to report the complaint and any proposed resolution of the complaint to the building principal. The building principal shall discuss the complaint with the individual to determine if it can be resolved. If the matter is resolved to the satisfaction of the individual, the building principal shall document the nature of the complaint and the proposed resolution of the complaint, and forward this record to the district compliance coordinator. Within 20 days after the complaint is resolved in this manner, the building compliance coordinator shall contact the complainant to determine if the resolution of the matter remains acceptable. If the matter is not resolved to the satisfaction of the individual in the meeting with the building compliance coordinator, or if the individual does not believe the resolution remains acceptable, the individual may initiate a formal complaint.

#### Formal Complaint Procedures:

A formal complaint should be filed in writing and contain the name and address of the person filing the complaint. The complaint should briefly describe the alleged violation. If an individual does not wish to file a written complaint and the matter has not been adequately resolved, the building principal may initiate the complaint. Forms for filing written complaints are available in each building office and the central office.

A complaint should be filed as soon as possible after the conduct occurs, but not later than 180 days after the complainant becomes aware of the alleged violation, unless the conduct forming the basis for the complaint is ongoing. If appropriate, an investigation shall follow the filing of the complaint. If the complaint is against the superintendent, the board shall appoint an investigating officer. In other instances, the investigation shall be conducted by the building principal, the compliance coordinator or another individual appointed by the board. The investigation shall be informal but thorough. All interested persons, including the complainant and the person against whom the complaint is lodged, will be afforded an opportunity to submit written or oral evidence relevant to the complaint.

A written determination of the complaint's validity and a description of the resolution shall be issued by the investigator, and a copy forwarded to the complainant no later than 30 days after the filing of the complaint. If the investigation results in a recommendation that a student be suspended or expelled, procedures outlined in board policy and state law governing student suspension and expulsion will be followed. If the investigation results in a recommendation that an employee be suspended without pay or terminated, procedures outlined in board policy, the negotiated agreement or state law will be followed.

Records relating to complaints filed and their resolution shall be forwarded to and maintained in a confidential manner by the district compliance coordinator.

The complainant may appeal the determination of the complaint. Appeals shall be heard by the district compliance coordinator, a hearing officer appointed by the board, or by the board itself as determined by the board. The request to appeal the resolution shall be made within 20 days after the date of the written resolution of the complaint at the lower level. The appeal officer shall review the evidence gathered by the investigator and the investigator's report, and shall afford the complainant and the person against whom the complaint is filed an opportunity to submit further evidence, orally or in writing, within 10 days after the appeal is filed. The appeal officer will issue a written determination of the complaint's validity and a description of its resolution within 30 days after the appeal is filed.

Use of this complaint procedure is not a prerequisite to the pursuit of any other remedies including the right to file a complaint with the Office for Civil Rights of the US Department of Education, the Equal Employment Opportunity Commission, or the Kansas Human Rights Commission.

Specific complaints of alleged discrimination under Title VI (race, color or national origin), Title IX (sex) and Section 504 (disability) should be referred to the school district's discrimination coordinator under each of these laws:

Mr. Craig Marshall  
Superintendent 200  
South Sixth St.  
Burlington, KS 66839  
620-364-8478

Title VI, Title IX and Section 504 complaints may also be filed with the Regional Office for Civil Rights, Address correspondence to:

United States Department of Education  
Office for Civil Rights  
One Petticoat Lane  
1010 Walnut Street, Suite 320  
Kansas City, Missouri 64106

## USD 244 Burlington Schools Bullying Policy Statements

It is mandated by K.S.A. 72-8256 that every school district in Kansas develop a district policy on bullying prevention, create a bullying implementation plan, and train all staff and students in bullying prevention.

- Bullying is any intentional gesture or any intentional written, verbal, electronic, or physical act or threat either by any student, staff member or parent towards a student or staff member that is sufficiently severe, persistent or pervasive that creates an intimidating, threatening or abusive educational environment for a student or staff member that a reasonable person, under the circumstances, knows or should know will have the effect of:
  - o Harming a student or staff member, whether physically or mentally;
  - o Damaging a student's or staff member's property;

- o Placing a student or staff member in reasonable fear of harm to the student's or staff member's property; or
- o Placing a student or staff member in reasonable fear of damage to the student's or staff member's property; or
- o Cyber-bullying, which means bullying by use of any electronic communications device through means including but not limited to: email, instant messaging, text messages, blogs, mobile phones, pagers, online games, and websites; or
- o Any form of intimidation or harassment prohibited by the board of education of the school district in policies concerning bullying adopted pursuant to this section or subsection (e) of K.S.A. 72-8205 and amendments thereto.
- Bullying can be physical, emotional or social and may involve verbal or nonverbal behavior.

### Bullying Prevention Implementation Plan

In order to comply with the mandates of K.S.A. 72-8256, a plan that specifically addresses bullying prevention in the Burlington schools will include:

1. Assessing the awareness and the scope of bullying in the Burlington schools through:
  - a. Anonymous student and staff questionnaires to assess the nature, extent, and location of bullying problems in the schools;
  - b. Use of the resulting data from the questionnaires to determine the "hot spots" where bullying occurs and assigning appropriate supervision to minimize the opportunity for bullying;
  - c. Auditing the number of office referrals concerning bullying behaviors.
2. Training students and staff on procedures to identify, report, and stop bullying.
3. Training non-instructional staff on procedures to intervene.
4. Establishing a confidential reporting system that allows students to report victimization and that records details of bullying incidents.
5. Identifying the procedures that the school will follow in response to reports of bullying.
6. Developing a statement regarding false reporting and the prohibition of retaliation.
7. Publishing the anti-bullying policy and grievance procedures in the student and staff handbooks, on the district website, or in some format that is easily accessible to all persons who may be affected by the policy (students, staff, parents, community).
8. Providing the plan in different languages based on the need within the school community.
9. Disseminating abbreviated forms of the policy on a regular basis through newsletters or other communications with reference to the complete document.

### Bullying Prevention Training Plan

Training of Staff:

- Online completion of bullying prevention modules via Kansas Bullying Prevention Program

- In-service at departmental meetings for non-instructional staff on procedures to identify, intervene, report, and prevent bullying

#### Training of Students:

##### BES

- K – 4 anti-bullying curriculum in counseling classes
- All school assembly TBA
- Anti-bullying classroom curriculum/activities K-4

### Bullying Reporting Procedures

#### Complaint Process

##### Informal Process:

Anyone may use informal procedures to report and resolve complaints of bullying. The district has established a program for receiving anonymous complaints. Individuals may use a smartphone to text a report to [bullying@usd244ks.org](mailto:bullying@usd244ks.org), use a computer to send an e-mail report to [bullying@usd244ks.org](mailto:bullying@usd244ks.org), or use a phone and call (620) 364-4700 to leave a voice mail with a report. Such complaints must be appropriately investigated and handled consistent with due process requirements. Informal reports may be made to any staff member, although staff shall always inform complainants of their right to, and the process for, filing a formal complaint. Staff shall also direct potential complaints to an appropriate staff member who can explain the informal and formal complaint process and what a complaint can expect. Staff shall also inform an appropriate supervisor or designated staff person when they receive complaints of harassment, intimidation, or bullying, especially when the complaint is beyond their training to resolve or alleges serious misconduct.

Informal remedies may include an opportunity for the complainant(s) to explain the to the alleged perpetrator that the conduct is unwelcome, disruptive, or inappropriate either in writing or face-to-face; a statement from a staff member to the alleged perpetrator that the alleged conduct is not appropriate and could lead to discipline if proven or repeated; or a general public statement from an administrator in a building reviewing the district harassment, intimidation and bullying policy without identifying the complainant, parent, guardian, or because the district believes the complaint needs to be more thoroughly investigated.

##### Formal Complaint Process:

Anyone may initiate a formal complaint of bullying, even if the informal complaint process is being utilized. Complainant(s) should not be promised confidentiality at the onset of an investigation. It cannot be predicted what will be discovered or what kind of hearing may result. Efforts should be made to increase the confidence and trust of the person making the complaint. The district will fully implement anti-retaliation provisions to protect complainant(s) and witness(es). Student complainants and witnesses may have a parent or trusted adult with them, if requested, during any district initiated investigatory activities. The administrator may conclude that the district needs to conduct an investigation based on information in their possession regardless of the complainant's interest in filing a formal complaint.

##### False Reporting:

USD #244 policy prohibits any person from falsely accusing another as a means of bullying. The consequences and appropriate remedial action for a person found to have falsely accused another as a means of bullying may range from positive behavioral interventions up to and including suspension or

expulsion. Consequences and appropriate remedial action for a school employee found to have falsely accused another as a means of bullying shall be disciplined in accordance with district policies, procedures, and agreements.

## Bullying Discipline Protocol

### Factors for Determining Consequences

- Age, development, and maturity levels of the parties involved
- Degree of harm
- Surrounding circumstances
- Nature and severity of the behavior(s)
- Incidences of past or continuing pattern(s) of behavior
- Relationship between the parties involved
- Context in which the alleged incident(s) occurred

### Possible Consequences

- Admonishment
- Temporary removal from the classroom
- Loss of privileges
- Classroom or administrative detention
- Referral to disciplinarian
- In-school suspension during the school week or the weekend, for students
- Out-of-school suspension
- Legal action
- Expulsion or termination
- For parents, suspension of access to school, school activities, and/or communication channels with staff or students at school

## Asbestos Notification

Congress enacted the asbestos Hazard Emergency Response Act (AHERA), in 1986. AHERA was enacted to determine the extent of and develop solutions for any problems schools may have with asbestos. USD #244 has had all its facilities inspected by a certified asbestos inspector as required by AHERA and has completed the mandatory 3-year re-inspections.

Asbestos-containing materials identified in the district were floor tiles. While some areas of floor tile were removed due to the possibility of damage to them (e.g. wood shop, auto body shop), other areas of floor tile continue to contain asbestos. The district custodial staff practices proper work practices, which are designed to refrain from disturbing the asbestos floor tiles. Since the asbestos fibers are not released unless the floor tile is damaged due to sanding, abrading or otherwise pulverizing it, no action to remove the floor tile is planned at this time.

A copy of the asbestos management plan, which has been implemented by USD #244, is available for inspection by contacting the asbestos program manager at the district administration office located at 200 South Sixth Street in Burlington.

## Hazardous Waste

When hazardous waste material is produced in a class, or otherwise located in the district, its disposal shall be in accordance with state and federal laws, rules and regulations. No employee shall bring hazardous material to school without the prior approval of the supervisor. Such material shall be in an appropriate container and properly labeled. If an employee discovers waste material, which is or may be hazardous, he/she should notify his/her supervisor immediately.

Hazardous wastes include, but are not limited to, wastes that are flammable, corrosive, infectious, highly reactive, or toxic.

Hazardous waste must be placed in an appropriate container affixed with a hazardous waste label that lists the specific contents.

Unlabeled containers whose contents are undetermined and that may contain hazardous substances shall not be put in trash containers.

All hazardous wastes must be properly labeled and stored appropriately until they can be disposed of properly. Placing them in trash containers or the sewer system is not an acceptable disposal method.

# **BURLINGTON MIDDLE SCHOOL**

**2025-2026**



## **Student & Activity Handbook**

## USD 244 MISSION

Burlington Schools are committed to developing each student to become a responsible citizen and lifelong learner.

## USD 244 VISION

Each graduate will be prepared for life and a passionate contributor to their career and community.

## USD 244 BOARD OF EDUCATION AND SUPERINTENDENT

James Higgins- President	Lucas Allen-Vice-President
Monique Hart	Johnny Hernandez
Ron Hess	Selena King
Bob Plummer	

Craig Marshall- Superintendent

## BUILDING MISSION STATEMENT

The mission of Burlington Middle School is to create a learning environment where all individuals are treated with dignity and respect and where students are provided the opportunity to excel in academics and personal pursuits.

## WELCOME TO BMS

Welcome to Burlington Middle School, the school for all fifth through eighth grade students in USD #244. We hope you will find our teachers, staff, and students friendly, helpful, and willing to assist you in your transition to and through middle school. If you have any questions or concerns about any of our programs, please call our office at 620-364-2156. Teachers are available for conferences according to their schedules and the principal's door is open for visits at any time.

## BURLINGTON MIDDLE SCHOOL SITE COUNCIL

The BMS Site Council serves as a communication link between the school, students, parents, and community. The mission of the site council is to provide advice and counsel to the school administration and school board on specified areas of the school programs and operations. Site council meets two times during the first semester and at least one time during the spring semester. The members of the middle school site council are listed below:

Matt Spring – Principal	TBD-Parent
Kelsy Crutchfield – Teacher	TBD-Parent
Debby Schmidt – Classified Employee	Amy Birk – Parent
Ashley Haller – Teacher	Natalie Spangenberg- Parent
Community Member—Stacey Moddie	

## SCHOOL HOURS

Regular school hours are 7:50AM to 3:05PM, Monday- Friday for all students.

## SCHOOL WIDE EXPECTATIONS

- |  |   |
|--|---|
| 1. Respect for yourself.               | Am I giving my best effort?                   |
| 2. Respect for others and environment. | Am I supporting my classmates and my teacher? |
| 3. Responsibility of your actions.     | Am I making good choices?                     |

## Leaving School During School Hours or Once a Student has Arrived at School:

Students may be dismissed during school hours to meet a medical or dental appointment or for personal reasons of the parent. To safeguard your child, requests for dismissal to anyone but the parent must be by phone or in writing and submitted to the principal. If possible, send this request to the office one day in advance. Once a student arrives at school, they may not leave without permission from the office. Before the student is released, the parent must come to the office and sign the student out.

## ARRIVAL AT SCHOOL

Students should not arrive at school earlier than 7:25AM, when our responsibility for supervision of students begins. Staff will monitor the students' arrival and appropriately supervise breakfast and morning activities. We ask for your cooperation by not bringing or sending students to school any earlier than necessary. Students eating breakfast may enter the building and proceed to the food service area at 7:25AM \*\*Front Foyer Doors may open at 7:20AM for students that need a warm, dry place to wait for the commons doors to open, parents need to be aware that this is not closely supervised.

## ATTENDANCE POLICY

We will strictly enforce the student attendance policy as outlined below:

1. All middle school students will have a total of 10 days of leave from school each year within the following regulations:
  - a) The primary purpose of leave is for personal illness, death or an emergency within the family.
  - b) Any unexcused absence without parent permission will be dealt with as Truancy.
  - c) A student missing three or more consecutive days for illness must provide a doctor's note upon return.
  - d) A student who misses 4 periods will be counted as a ½ day absence.
  - e) A student who misses 2 periods will be counted as a ¼ day absence
  - f) When a student has 5 absences during the year the parent will receive a warning letter alerting them to the number of absences and encouraging attendance at school.
  - g) Absences (excused or unexcused) after 10 days that do not have a signed doctor's note may result in alternative classroom placement, a schedule change to focus on core subjects, loss of school-related activities upon administrators' discretion, and/or a consideration of retention.

- h) When a student has 10 absences in a year the parent will receive a letter from the principal, the student will be referred to the SIT team, DCF may be notified, and educational neglect will be considered.
  - i) Excessive absences unrelated to medical or emergency events will be turned over to the Coffey County Attorney's Office for educational neglect.
2. Parental approval of an absence does not necessarily make the absence an excused absence. Any absence not verified by a parent within 48 hours will be permanently recorded unexcused.
3. Students must make arrangements with the teacher for turning in assigned work following an absence.
4. If a student is absent from school on a sponsored activity and does not return to school during the regular school hours, he or she will be allowed one extra day to do any work assigned the day of the activity.
5. A student must check in at the office by 12:00 noon on the day of a contest if he/she wants to participate in any school activity (games and/or practices) unless other arrangements have been made.

Students absent from school for reasons other than school sponsored or school approved activities should not attend or participate in any school activities which occur on that day. This includes late afternoon and evening events. The parents of any student having an irregular attendance will be notified.

## TARDIES

Students need to be on time. During the school day, the teacher makes the determination. Accumulation of tardies is for a semester. Students start fresh with a new semester. The following consequences will be enforced:

- 1) After 3 Tardies – Lunch Detention
- 2) After 5 Tardies – Lunch Detention
- 3) After 7 Tardies – Detention After School
- 4) 10 or more Tardies – BMS Principal determines consequences

## Arrival Tardies/Tardy to School

Arrival to school for those who do not ride the school bus should coincide with the arrival time of buses. The school day is defined in individual periods. Students arriving within the first period will be counted as tardy. Students arriving in subsequent periods will be marked absent for the periods missed and tardy for the period in which they arrive.

Students arriving late to school will be excused 10 times per year. Tardies to school in excess of this will not be excused without a doctor's note. The accumulation of eight unexcused tardies is equivalent to one unexcused absence and will factor into the absence calculation for referral to DCF or district attorney under the Kansas compulsory attendance law (See Truancy).

## TRUANCY

Students enrolled in kindergarten - twelfth grade, who are inexcusably absent three (3) days in a row, five (5) days in a semester or seven (7) days in a school year are in violation of the Compulsory Attendance Law KSA 72-3121. These students will be reported to the Coffey County District Attorney. Students who accumulate excessive excused absences may be required to produce verification of further absence to have it excused. Verification will be subject to the administrator's or designee's discretion (See excused Absences).

## ACADEMICS

### STUDENT IN GOOD STANDING

Burlington Middle School defines "Good Standing" as a combination of good academic performance, good citizenship, and a satisfactory attendance status. Unless time is owed from a previous semester, all students will start a school year as being in "Good Standing". Students maintain their "Good Standing" status by meeting the school's expectations in terms of satisfactory academic progress, proper behavior reports, and regular school attendance records. Failing to meet standards in one of or more areas will result in the student being considered as "Not being in Good Standing".

- **Academics:** To maintain good academic standing students must be passing at least 7 classes.
- **Behavior:** Students who are in violation of academic and/or student conduct policies established by USD 244 or Burlington Middle School will be considered to be not in good standing until all redresses have been completed. This will be connected to suspensions as well as point total accumulation on the behavior code.
- **Attendance:** A student that has 1 unexcused absence during the current grading period will be considered not in good standing.
- **Tardies:** A student will not be considered in good standing if he or she has 8 or more unexcused tardies to school.

A student not in good standing cannot attend, and/or cannot participate in extracurricular activities or events. This may include school dances, class activities, pep rallies, and field trips, participation in extracurricular, etc.)

Students in KSHSAA extracurricular activities will also follow the KSHSAA and BMS Student Activity eligibility requirements.

### GRADING, PROGRESS REPORTING, AND HONOR ROLL POLICY

Each grading period is approximately 9 weeks in length. Parents who have internet access may have daily access to their student's grades and attendance through the school's Skyward program. Grade cards will be issued following the close of each quarter. Incompletes must be removed within two weeks after the distribution of grades or the incomplete becomes an F. No incomplete grades will be given during the 4th quarter.

### GRADING SCALE

- A 95% to 100%
- A- 90% to 94%
- B+ 87% to 89%

- B 83% to 86%
- B- 80% to 82%
- C+ 77% to 79%
- C 73% to 76%
- C- 70% to 72%
- D+ 69%
- D 66% to 68%
- D- 65%
- F 64% and below

**MAKE-UP WORK**

Students are responsible for work missed when absent and should contact teachers before or after school to discuss make-up assignments. Students will get one day for every day they are absent to turn their work in. For example: Missing 3 days, students get 3 school days to make the work up. In laboratory classes, special arrangements may need to be made for making up a laboratory activity. Some work cannot be made up because of its nature: guest speaker, demonstrations or performance.

Accommodations and/or modifications will be made to assignments/activities for students who have submitted a physician’s note excusing them from specific activities. Alternate assignments/activities will be assigned to students who are excused per physician’s note for an extended period of time. The student, teacher, parents/guardian and administration are expected to collaborate in this situation to agree on a “reasonable” solution for the student.

**EXTRA OPPORTUNITIES**

Teachers are available to help students on regular school days from 7:25AM until 7:50AM each morning and from 3:05AM until 3:30PM each afternoon. Parents should not hesitate to encourage children to take advantage of the OTAC program.

**OTAC (Our Teachers Are Concerned)**

OTAC is not detention. Detentions carry a negative connotation, usually for misbehavior, and OTAC is positive intervention to help students. The purpose of OTAC is to keep students from falling behind in their schoolwork. Some students tend to procrastinate and then become overwhelmed by how much work needs to be completed to maintain passing grades. OTAC gives students the opportunity to work with teachers after school to get caught up, or in some instances, stay caught up with their homework. Students who start to fall behind early in the year will be required to stay from 3:10PM – 3:30PM (unless other arrangements have been made) and work with specific teachers.

**LATE WORK**

With learning being our fundamental purpose at Burlington Middle School as well as holding students accountable for turning in work when due, late work will be accepted, and we will use the following process:

- On the day an assignment is DUE, should the student not have it completed he or she needs to notify their parents that they need to stay for after school homework club either the day it is due or the following day.
- After the student has been assigned the after-school homework club and the work is not completed a “0” will be entered in the gradebook. At this time the student will only be able to earn 50% of the total points possible on the assignment.
- Once arrangements have been made with the parent and/or guardian the student will stay until 4:00PM.

**WEDNESDAY NIGHT or SATURDAY SCHOOL**

**Purpose:** To provide a structured time for students to complete work after we have intervened with OTAC (Our Teachers are Concerned) and communicated with parents that their child has missing work. This is an intervention to assist students that are choosing NOT to complete their work.

**When to refer:** The reason for Wednesday and Saturday School is for the students that are choosing NOT to do their work on a regular basis. This is also AFTER the student has been required for OTAC. This is NOT in leu of OTAC, this is in addition to.

**Expectations for Students:**

- Once Wednesday Night or Saturday School has been assigned the student is REQUIRED to attend to the minimum times

Wednesday School will be from 3:05PM-5:30PM

- Any student required to attend Wednesday Night School will stay a minimum of 4:30PM
- The only way a student will be able to leave at 4:30PM is if they complete their work and it is of good quality.

Saturday School will be from 8:00AM-11:00AM

- Any student required to attend Saturday School will stay a minimum of 9:30AM
- The only way a student will be able to leave at 9:30AM is if they complete their work and it is of good quality.
- Students must be working on WORK. Once the work is completed, they will read a book until they are dismissed.

**Consequences for NOT attending or using the time appropriately:**

- Should a student not attend or use their time appropriately, he or she will serve 1 day out of school suspension.
- Students not working and who do not complete the work in the allotted time will receive a 0 for assignment.

**HONOR ROLL REQUIREMENTS/ACADEMIC LETTER**

**High Honor Roll:** A student must earn a minimum grade point average of 3.6. A student may not have an “incomplete,” “non-credit,” or “failing” in any class to be eligible for high honor roll with no grade lower than a C-.

**Regular Honor Roll:** A student must earn a minimum grade point average of 3.1. A student may not have an “incomplete,” “non-credit,” or “failing” in any class to be eligible for regular honor roll with no grade lower than a C-.

**Academic Letter:** Any student in B.M.S. whose grade point average is 3.0 or higher with no grade lower than a C- is eligible to receive the Academic letter at the awards program.

### **CHEATING**

Whenever a student is guilty of cheating, the teacher shall collect the student's paper, mark a zero for the work, and notify the parent(s) and the office immediately as to the action taken. All students involved are subject to consequences (minor or major).

### **PLAGIARISM**

Plagiarism – to steal the language, ideas or thoughts from another, representing them as one's own work. What this means is the author's words and ideas are his or hers and a student who borrows either, must acknowledge that fact.

1. Intent to plagiarize is irrelevant. "I thought these were my own words; I didn't mean to" is not an excuse. It is still plagiarized.
2. Only copying a sentence here or there is still plagiarism.
3. "But I put it in my own words" is still plagiarism. You are still using someone's thoughts other than your own.
4. Every appearance of borrowed material must be acknowledged.
5. Copying from another student's paper is plagiarism. All students involved are subject to consequences (minor or major).

### **GUIDELINES FOR PROMOTION**

Students who are not performing adequately academically can be subject to grade level retention. "Adequate performance" will be determined by the team currently serving the student as well as administration and they will analyze a number of factors, including grades, assessment data, and skill levels in order to determine academic promotion. A committee to determine retention or promotion may review students who fail core classes. The committee will be composed of Middle School Staff. All 8th graders must pass 3 of their 5 core classes (Math, ELA, Social Studies, Science, & PE/Health) at the end of the Spring Semester of their 8th grade year in order to participate in 8th grade Promotion. Letters will be sent to parents of any students in danger of not meeting the requirements. Follow-up telephone calls and conferences will also take place. It is our sincere hope that all students will be eligible to participate in 8th grade promotion.

### **ENROLLMENT FEES & DUES**

**Instructional Resource fee, lunch prices, technology fee and other fees will be announced following summer Board of Education meetings.** Calculators are used by 7<sup>th</sup> and 8<sup>th</sup> grade students. They may be purchased from the school during enrollment if you desire. Purchase price is \$17. Books damaged during the year will have a minimum fee of \$10 assessed for damages. Cost of a lost textbook will be the initial cost of the book divided by the number of years it has been in circulation. Any lost or damaged technology equipment will also result in assessed fees depending on the product's purchase price.

## **STUDENT CODE OF CONDUCT**

### **GUIDE TO GOOD CONDUCT**

A school is known by the quality its people. This includes students, faculty, administration, supportive staff, and board of education. A good measure of this quality lies in the goals set by and for the school by members of these groups. Likewise, a good measure of an individual lies in the personal goals of achievement and conduct that will compile a school record needed for future education or employment.

Burlington Schools will be committed to developing high quality, fair and clear principles for our community of learners based on Social, Emotional and Character Development (SECD) principles. A strong connection exists between (SECD), school behavior, and academic performance. Social and emotional factors relative to student success promote a healthy school. SECD provides a foundation for our community of learners, which positively impacts students' feelings of connectedness. Creating a sense of autonomy about their schooling and other aspects of their lives. These principles will be expected to be modeled by all staff and taught to all our students. Students will gain a sense of competence that encompasses academic, emotional and physical safety for each child to succeed and be college and career ready.

### **STUDENT DISCIPLINE AND MIDDLE SCHOOL DISCIPLINE POLICIES**

Students are in school to learn, teachers are placed in our classrooms to teach, and we are going to maintain an environment that is conducive to learning. Students will be treated with respect and are expected to show others the same respect. Students not responding to this positive approach will meet with appropriate consequences related to their actions.

Extracurricular activities, including athletics, band, chorus, and club activities, are governed by the Student Activity Policies. Students who are involved in extracurricular activities may face consequences related to the activity in addition to the consequences discussed in this handbook. In order to guarantee all students, the excellent learning climate they deserve, we are utilizing the following discipline program.

### **Classroom Rules:**

1. Students will report to class on time and with all materials necessary for class participation, which will be specified by grade level core teachers.
2. Students will not have food or candy in the gym in the morning.
3. Students will obtain proper recognition before asking a question or leaving his/her seat during class time.
4. Students will follow instructions as given by the instructor.
5. Students will help create a safe environment by keeping their hands, feet, and objects to themselves. Students are expected to know and follow without exception the rules as listed in this Student Handbook.

### **MINOR & MAJOR POINTS INFORMATION**

Burlington Middle School will promote expected behaviors. Students who are unable to follow the behavior expectations of the school will be issued Minors and Majors.

A Minor is a report submitted to the office by a teacher describing a student's inappropriate behavior. Teachers will communicate with students about their behavior and provide corrective expectations and communicate the incident to parents. If a Major is issued by a teacher, the student will discuss their

behavior with an administrator and may receive behavior points and a detention based on the actions. Three minors in a three-week time frame will result in an office-issued detention and a major for 7th and 8th graders. Three minors in a one-week time frame will result in an office-issued detention and a major for 5<sup>th</sup> and 6th graders.

#### BMS BEHAVIOR CODE AND POINT SYSTEM

- If a student accumulates 7 or more points, he/she will be given in-school suspension (ISS) for 1-2 days and a conference with the parent and student will be arranged.
- If a student accumulates 12 points, he/she will be given out-of-school suspension (OSS) for 2-3 days.
- If a student accumulates 15 or more points, he/she will be given out-of-school suspension (OSS) for 3-5 days and recommended for long-term suspension or expulsion.

\*In an effort to promote student accountability and responsibility, students are given an opportunity to earn back points through community service. The principal will approve/assign all community service. One hour of service will be equivalent to one point. All quality and quantity of service will be verified. **A maximum of 7 points of service can be done per year.** Once a student reaches fifteen points, they are not eligible to make up points unless they are currently completing community service.

**\*\*The administration reserves the right to assign consequences and points to any violation of school policy that is not listed on the chart.**

Level	Interaction	Description of Offense	1 <sup>st</sup> Referral	2 <sup>nd</sup> Referral	3 <sup>rd</sup> Referral	4 <sup>th</sup> Referral	5 <sup>th</sup> Referral
Minor 1pts	Hits/Touches Other (Horseplay)	One or more students making physical contact such as light tapping or pushing that does not harm or injury to each other or the school environment	Warning <sup>1</sup>	Teacher Calls or Meets with Parents (24hr. notice)	25-minute classroom detention <sup>2</sup>	One 50-minute detention <sup>2</sup> in the office after school	Administrative Referral
Minor 1pt	Failure to Comply	Failure to respond to schoolwide and classroom expectations and/or direction of an adult	Warning <sup>1</sup>	Teacher Calls or Meets with Parents (24hr. notice)	25-minute classroom detention <sup>2</sup>	One 50-minute detention <sup>2</sup> in the office after school	Administrative Referral
Minor 1pt	Cellphones and Smartwatches	Failure to follow direction of having the device in their academic student locker from 7:25AM-3:05PM.	Warning	Parents must pickup the device	Parents must pickup the device and then it is left in the office during the school day.		
Minor to Major 1-5pts	PDA (Public Display of Affection)	Student participates in kissing, inappropriate touching or suggestive dancing after an initial warning. Major can be assigned without warning if it is considered severe.					
Minor* 1-5pts	Property Misuse/Abuse (School/Personal)	Willful destruction or defacement of property Includes vandalism.	Teacher/ Administration Calls or Meets with Parents (24hr. notice)	Teacher Calls or Meets with Parents (24hr. notice)	25-minute classroom detention <sup>2</sup>	One 50-minute detention <sup>2</sup> in the office after school	Administrative Referral
Major* 1-5pts	Willful destructions or defacement of property. Includes vandalism. More significant than minor-Administrative Discretion	Call to Office/ Parent Contact/ Administrative Referral					
Minor* 1-5pts	Inappropriate Language or Obscene Gesture (Profanity or Slander)	A verbal message or using words in an inappropriate way or in such a manner that doesn't positively affect the student environment.	Teacher/ Administration Calls or Meets with Parents (24hr. notice)	Classroom Detention <sup>2</sup>	25-minute detention <sup>2</sup> in the office after school	One 50-minute detention <sup>2</sup> in the office after school	Administrative Referral
Major* 1-5pts	Intentional Inappropriate Language or Obscene Gesture (Profanity or Slander) that is directed at an individual/group	A verbal message or using Words in an inappropriate way or in such a manner that doesn't positively affect student environment that is directed at an individual or group	Call to office/ Parent Contact/ Administrative Referral				
Minor* 1pt	Disrupting the Learning of Others	Behavior causing an interruption of class activities.	Warning <sup>1</sup>	Teacher Calls or Meets with Parents	25-minute classroom detention <sup>2</sup>	One 50-minute detention <sup>2</sup> in the office after school	Administrative Referral
Major* 1-5pts	Disrupting the Learning of Others	Behavior causing an interruption of class activities that continues	Call to Office/ Parent				

		after redirection.	Contact/ Administrative Referral				
Minor* 1-2pts	Disrespect	Any rude, offensive spoken, written, or non-verbal communication that insults, belittles, slanders another person. Includes lying.	Warning <sup>1</sup>	Teacher Calls or Meets with Parents (24hr. notice)	25-minute detention <sup>2</sup> in the office after school	One 50-minute detention <sup>2</sup> in the office after school	Administrative Referral
Major* 2-5pts	Disrespect	Intense spoken, written, or non-verbal communication that insults, mocks, belittles or slanders another person. Excessively argumentative after redirection and lying.	Call to Office/ Parent Contact/ Administrative Referral				
Minor 1pt	Computer/Network Violation	Inappropriate use of the school computer, network system, email, etc.	Warning <sup>1</sup>	Teacher Calls or Meets with Parents (24hr. notice)	25-minute classroom detention <sup>2</sup>	One 50-minute detention <sup>2</sup> in the office after school	Administrative Referral
Major* 2-5pts	Computer/Network Violations		Call to Office/ Parent Contact/ Administrative Referral				
Minor* 1pt	Cheating/Plagiarism	Cheating on classroom assignments- copying answers, providing answers, changing answers while grading or claiming someone else's work as your own.	Teacher Calls or Meets with Parents (24 hr. notice) Assignment redone at time arranged by teacher  Classroom Referral	25-minute teacher detention <sup>2</sup>  Classroom Referral	Administrative Referral		
Major* 1-5pts	Any type of cheating that occurs in relation to a formal academic exercise. It can include plagiarism, deception, bribery, or sabotage	Call to Office/ Parent Contact/ Administrative Referral					
Major 1-15pts	Theft	Intentionally taking someone else's property for personal gain.	Call to Office/ Parent Contact/ Administrative Referral				
Major 1pt	Leaving the classroom, building, or campus without permission	Leaving (or not returning to) class or campus without permission of teacher/administration	Call to Office/ Parent Contact/ Administrative Referral				
Major 3-5pts	Fighting	An unwanted physical altercation between two or more parties in which physical harm is intended.	Call to Office/ Parent Contact/ Administrative Referral				
Major 1-15pts	Threat	Threatening/blackmailing/bullying another student or staff member. (may include social	Call to Office/ Parent Contact/				

		media or technology)	Administrative Referral SRO Notified				
<u>Major</u> 1- 15pts	Intimidation/Bullying/Harassment		Call to Office/ Parent Contact/ Administrative Referral/ SRO Notified				
<u>Major</u> 3-5pts	Possession of Tobacco Product including vapes	Possession of illegal contraband.	Call to Office/ Parent Contact/ SRO Notified 2 OSS	Call to Office/ Parent Contact/ SRO Notified 4 OSS (ticket)	Call to Office/ Parent Contact/ SRO Notified DPH (ticket)		
<u>Major</u> 5- 15pts	Alcohol	Possession of or under the influence	Call to Office/ Parent Contact/ SRO Notified 3 OSS	Call to Office/ Parent Contact/ SRO Notified 5 OSS (ticket)	Call to Office/ Parent Contact/ SRO Notified DPH (ticket)		
Major 5- 15pts	Drugs	Selling, Possession, or under the influence of illegal drugs	Call to Office/ Parent Contact/ SRO Notified 5 OSS	Call to Office/ Parent Contact/ SRO Notified DPH (ticket)			
Major 10- 15pts	Extreme Misconduct		Call to Office/ Parent Contact/ SRO Notified 5 OSS				
Major 15pts	Weapons	Possession of a Weapon	Call to Office/ Parent Contact/ Administrative Referral SRO Notified				

### **RULES FOR GOOD BEHAVIOR**

The following rules for students are subject to the Behavior Code point system.

1. All students are subject to the control and direction of ALL employees. Students are expected to show obedience and respect for teachers and staff.
2. Running in the hallway is not permitted.
3. Talking loudly in the hallways during class hours is not permitted.
4. When classes move within the building during school hours, the students are to move in a quiet fashion with close teacher supervision.
5. During school hours, the students are to move in a quiet fashion.
6. No Public Display of Affection
7. Abusive, disrespectful, or obscene language, written or oral, will not be tolerated. This includes gestures, which are profane or abusive to students or staff members. Profane or abusive language or conduct includes, but is not limited to, that which is commonly understood and intended to be derogatory toward a group or individual based upon race, sex, national origin, or religion.

8. Cell phones are allowed at school to be used for communication purposes before (prior to 7:25AM) and after school (3:05PM). Cell phones must be placed in the student's **ACADEMIC** locker and cannot be carried from 7:25AM-3:05PM. Any cell phones found in possession of any student during normal school hours without the permission of a staff member will be confiscated and taken to the Principal.
9. Litter in halls and classrooms creates less than pleasant surroundings for everyone. Please keep our school clean and well kept.
10. All contents of a meal brought from home should remain in the container in the student's locker until lunch break; it should be eaten in the commons area. Violation of this rule may result in these items may be confiscated and not returned to the student.
11. Items that represent a hazard to the health and safety of other students are not allowed and will be taken by the teacher or principal and will be returned to the parent. These include, but are not limited to: Pocket knives, water pistols, water balloons, glass containers, laser light pointers, and items for the purpose of being used as a weapon.
12. Smoking, vaping, swearing, fighting, excessive tardiness, skipping classes, refusing a teacher's directives, class disruptions, property damage, use or possession of alcoholic beverages, tobacco products, electronic nicotine delivery system, stealing, public display of affection (kissing/ embracing), leaving school grounds without permission, use or possession of drugs or drug paraphernalia, cheating on tests, and back talking are all acts of irresponsible student conduct and are subject to Behavior Code point system.
13. Bringing animals to schools requires prior approval; exceptions are made when a school unit on animals or other activities under the direction of the teacher are planned and approved. When animals are at school; the district's policy for animals must be followed.
14. Snowballs are not to be thrown at any time.
15. Gambling is not permitted.
16. Civil laws must be obeyed.
17. Gang-related graffiti, writing or symbols are not to be used and will not be tolerated.
18. Kicking and throwing of balls and other equipment on the roof of the school is not permitted.
19. School rules apply at school activities occurring after regular school hours.

### **JURISDICTION OF SCHOOL OFFICIALS**

School officials may discipline students for misconduct as defined in this Code of Conduct, which occurs in and around school property, libraries, or activities or when using school provided equipment. While misconduct that occurs outside the school environment is generally addressed by local law enforcement, school officials may discipline students for such conduct when the conduct impacts the school environment, educational objectives and the greater interests of the school district. Accordingly, school officials may discipline students for conduct occurring:

- While on or about school premises.
- While on school buses to and from school, on school-sponsored field trips, and while attending or participating in extracurricular activities.
- While engaged in school related activities on or off premises.
- While on school property, but during non-school hours; and/or
- While off school premises if the misconduct is directed toward school personnel.
- When the misconduct is facilitated by school district provided technology and/or other devices.

### **SEARCH AND SEIZURE ON SCHOOL PREMISES**

Purpose and Objective: To maintain order and discipline in the schools, school officials are empowered to conduct searches of student and school property. Accordingly, students who bring contraband on to school property or to school-related activities may be searched in order to secure the school environment so learning can take place, and to protect students, staff and visitors from any potentially harmful effects stemming from the contraband. The Administration may utilize reasonable suspicion searches, metal detectors and canines as necessary to carry out and further the objectives of this policy. A student's failure to submit to searches and seizures as provided in this policy will be considered grounds for disciplinary action up to and including expulsion

### **FORMS OF SCHOOL DISCIPLINE**

Administrative and teaching personnel may take actions regarding student behavior which are reasonably necessary to aid the student, further school purposes, or prevent interference with the educational process. Such actions may include, but need not be limited to, counseling of students, parent conferences, rearrangement of schedules, requirements that a student remain in school after regular hours to do additional work, restriction of extracurricular activity, or requirements that a student receive counseling, psychological evaluation, or psychiatric evaluation upon the written consent of a parent or guardian to such counseling or evaluation. The actions given by building administration may also include in-school suspensions during the day. When in-school suspensions, after-school assignments, or other disciplinary measures are assigned, the student is responsible for complying with such disciplinary measures; a failure to serve such assigned discipline as directed will serve as grounds for further discipline, up to expulsion from school. District administrators may develop building-specific protocols for the imposition of student discipline.

In this section, references to "Principal" shall include building principals, the principal's designee, or other appropriate school district administrators.

Any statement, notice, recommendation, determination, or similar action specified in this section shall be effectively given at the time written evidence thereof is delivered personally to or upon receipt of certified or registered mail or upon actual knowledge by a student or his or her parent or guardian. Any student who is suspended out of school or expelled from school pursuant to this section may not participate in any school activity during the duration of that exclusion including adjacent school holidays and weekends. The student activity eligibility of a student who is mandatorily reassigned shall be determined on a case-by-case basis by the principal of the building to which the student is reassigned.

### **DETENTION POLICY**

Detentions are held Monday through Thursday from 3:05PM to 3:55PM either twenty-five- or fifty-minute detentions will be held immediately after school. Detention time is not intended to be convenient. It is intended to be a corrective action and should be an incentive to avoid future problems of a similar nature. Students required to stay for detention are responsible for arranging their own transportation. Students will have two days (the day issued or following day) to serve a detention from the time it is issued. If a student chooses not to serve the detention within the time doubles. If the doubled amount of time is still not served within 4 days of date of issue, the student will be Out-of-School suspended for a minimum of one day. Suspension time does not take away the detention time. When the student returns from the Out of School Suspension, he/she will still be expected to serve the detention(s).

### **SUSPENSION AND EXPULSION**

Out-of-School Suspension (OSS) from a class for more than one hour or suspension from school itself shall be exercised only by the principal or his appointed person in charge in his absence. The following guidelines shall affect a student's suspension from school:

- Short-term suspensions from one to ten days may be assigned with an informal hearing being afforded the student. ·
- Long-term suspensions are defined as more than ten days up but not exceeding 90 school days and require a formal hearing.
- Expulsion may be for a term not surpassing 186 days and require a formal hearing.
- Parents shall be notified in writing of each suspension and/or expulsion.
- Students under suspension and/or expulsion are barred from all school property and are ineligible to attend school activities.
- Work will still be assigned during a suspension but it will be the student and parents' responsibility to collect the homework from the school. For long-term suspensions alternative schoolwork and assignments may be assigned.

Exclusion from school or suspension periods longer than ten days shall be assigned using the following guidelines:

- A student and his/her parents shall be notified in writing of the time, date, and place where the student will be afforded a formal hearing.
- A student shall be given a copy of Kansas Statutes dealing with expulsion.

Suspension and expulsion are authorized by a separate board policy., JDD." However, an additional type of suspension is hereby authorized.

### **IN-SCHOOL SUSPENSION (ISS)**

1. An "in-school suspension" (ISS) may be used to suspend a student from a class or even several classes. The student may continue to attend other classes. During the suspension, the student will be assigned to an area such as the office, hallway, or detention room; and some staff person, or adult designated by the principal, will be assigned to maintain general supervision of the student.

### **SUSPENSION REDUCTION OPTION**

In an effort to promote the quitting of self-harming activity connected to smoking, vaping, and other similar activity, the administration will promote the opportunity to reduce suspension dates from school by the student completing a cessation program agreed to by the school administration and the offending student's parent. The student will be allowed to return from suspension before the end date once documentation of successful completion of a cessation session can be provided to the school. The cost that is associated with a cessation program will be the sole responsibility of the student and/or their parent.

### **SUSPENSION AND EXPULSION PROCEDURES**

Kansas Statutes identify reasons for the long-term suspension or expulsion of pupils as well as certain procedural safeguards in the implementation of long-term suspensions or expulsions.

### **REASONS FOR SUSPENSION OR EXPULSION**

Students may be suspended or expelled for one or more of the following reasons:

- Willful violation of any published, adopted student conduct regulations.
- Conduct which substantially disrupts, impedes, or interferes with school operation.
- Conduct which endangers the safety or substantially impinges on or invades the rights of others.
- Conduct which constitutes the commission of a felony.
- Conduct which constitutes commission of a misdemeanor, at school, on school property or at a school event
- Disobedience of an order of a school authority if the disobedience may result in disorder, disruption or interference with school operation.
- Possession of a weapon at school, on school property or at a school sponsored event,
- Violation of accumulating 13 points on the BMS point system.

### **RULES WHICH APPLY IN ALL CASES WHEN A STUDENT MAYBE SUSPENDED OR EXPELLED**

- Refusal or failure of the student and/or the student's parents to attend the hearing shall result in a waiver of the student's opportunity for the hearing.
- Students who are suspended for more than 10 days or expelled from school may appeal to the board within 10 calendar days of receiving written notice of the hearing results.
- A student suspended for more than 10 school days or expelled from school shall be provided with information concerning services or programs offered by public and private agencies which provide services to improve the student's attitude and behavior.
- A student who has been suspended or expelled shall be notified of the day the student can return to school.
- If the suspension or expulsion is not related to a weapons violation, the principal may establish appropriate requirements relating to the student's future behavior at school and may place the student on probation.
- If the expulsion is related to a weapons violation the superintendent may establish appropriate requirements relating to the student's future behavior at school and may place the student on probation.
- The days a student is suspended or expelled are not subject to the compulsory attendance law.
- During the time a student is suspended or expelled from school, the student may not:
  - \* Be on school property or in any school building without the permission of the Principal
  - \*Attend any school activity as a spectator, participant, or observer

### **OTHER BEHAVIORS THAT MAY RESULT IN SUSPENSION/EXPULSION**

In addition to the point system, the following behaviors are specifically addressed and may be grounds for discipline up to and including suspension or expulsion from school and/or referral to law enforcement.

#### **A. Disruptive Behavior**

Any behavior that substantially disrupts or obstructs the lawful mission, process or function of the school is prohibited.

#### **B. Damage To/Or Destruction of School Property**

A student shall not intentionally cause or attempt to cause damage to school property or steal or attempt to steal school property.

### **C. Damage To/Or Destruction of Private Property**

A student shall not intentionally cause or attempt to cause damage to private property or steal or attempt to steal private property either on the school grounds or during a school activity, function or event off school grounds.

### **D. Weapons and Dangerous Instruments**

A student shall not knowingly possess, handle, use or transmit any object that can reasonably be considered a weapon on the school grounds or off the school grounds at a school activity, function or event. This shall include any weapon, any item being used as a weapon or destructive device, or any facsimile of a weapon. Possession of the following weapons will result in expulsion from school for a period of one calendar year:

- Firearms. For purposes of this policy, the term “firearm” means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, or any firearm muffler or silencer, or any destructive device.
- Destructive Devices. For purposes of this policy, the term “destructive device” means any explosive, incendiary or poison gas: bomb, grenade, rocket or missile having a propellant, explosive or incendiary charge, mine or another device similar to any of these devices.
- Any bludgeon, sand club, metal knuckles, or throwing star; and
- Any knife that opens automatically by pressure applied to a button (switchblade) or any knife that opens, falls or is ejected into position by force of gravity.
- Any electronic device designed to discharge immobilizing levels of electricity, commonly known as a “stun gun” The superintendent may recommend that the one calendar year expulsion requirement be modified on a case-by-case basis.

### **E. Narcotics, Alcohol, Beverages and Intoxicant Drugs**

A student shall not knowingly possess, sell, use, distribute or be under the influence of any illicit drug, controlled substance, alcoholic beverage or intoxicant of any kind

1. On the school grounds during, before or after school hours.
2. On school grounds at any other time when the school is being used by any school group; or
3. Off the school grounds at a school activity, function, or event

Possession, use and or being under the influence of a controlled substance by a student shall only be permitted if such substance was:

1. Obtained directly from or pursuant to a valid prescription order, issued to such student from a person licensed by the state to dispense, prescribe or administer controlled substances
2. In the case of use or possession, approved and administered at all, in accordance with board policy JGFGB and or JGFGBA
3. Used, if at all in accordance with label directions

### **F. Other Items Not Allowed in School**

1. Items that tend to disrupt classes, i.e., electronic devices; MP3, CD or tape player’s, cellular telephones, mobile tablets, skateboards, water guns, toys, fidget devices, etc. (items will be confiscated)
2. Tobacco, vaping devices, nicotine delivery devices and electronic cigarettes.
3. Laser pointers (unless approved for a presentation).

Possession of these items without express prior approval may result in confiscation of the item and/or other disciplinary measures such as suspension/expulsion.

The use of personal digital electronic devices may be allowed for instructional support purposes. Failure to comply with reasonable use as defined by the school will result in forfeiture of the privilege to use such a device.

### **G. Discriminatory Conduct and Harassment**

Conduct which discriminates against another individual in the school on the basis of sex, race, color, national origin, religion, sexual orientation or disability is strictly prohibited. A copy of specific regulations concerning sexual harassment and racial harassment is located elsewhere in this handbook and should be carefully reviewed by students.

### **DRESS CODE GUIDELINES**

Primary responsibility for appropriate dress and appearance rests with the student and his/her parent/guardian/legal custodian. Students should wear clothing that supports a working environment focused on learning. Student dress, which is obscene, immodest, indecent, or lewd, shall not be tolerated. In the interest of maintaining a positive learning environment, the following regulation of student dress shall be in effect:

Students must wear shoes, sandals, or boots. Students must wear clothing that properly covers their body. Any student dressed in a manner that disrupts the academic environment will be sent to the office and asked to call home to get proper clothing or wear their PE clothes.

Articles which are not permissible:

1. Reveal stomach and/or belly button
2. Hats, bandanas, or sunglasses
3. Reveled undergarments (bra straps and sports bras) are not to be worn.
4. Clothing with vulgar, obscene, or suggestive words or gestures
5. Clothing which advertises or endorses items or activities illegal for minors (beer, alcohol, cigarettes, drugs, etc.)
6. Shorts must be fingertip to mid-thigh in length.

Any student dressed inappropriately will be asked to wear PE clothes or call home to have clothes brought to school. The Administration will make final decision on whether or not clothing is appropriate/inappropriate.

## Bullying Policy Statements

- It is mandated by K.S.A. 72-8256 that every school district in Kansas develop a district policy on bullying prevention, create a bullying implementation plan, and train all staff and students in bullying prevention.
- Any form of **intimidation** or **harassment** prohibited by the board of education of the school district in policies concerning bullying adopted pursuant to this section or subsection (e) of K.S.A. 72-8205 and amendments thereto.

**Bullying Definition:** A person is bullied when he or she is exposed, repeatedly and over time, to negative actions on the part of one or more other persons, and he or she has difficulty defending himself or herself.”

### This definition includes three important components:

1. Bullying is aggressive behavior that involves unwanted, negative actions.
2. Bullying involves a pattern of behavior repeated over time.
3. Bullying involves an imbalance of power or strength.

### Forms of bullying

- **Physical:** Physical bullying involves harmful actions against another person’s body. Examples include biting, kicking, pushing, pinching, hitting, tripping, pulling hair, any form of violence or intimidation. Physical bullying also involves interference with another person’s property. Examples include damaging or stealing.
- **Verbal:** Verbal bullying involves speaking to a person or about a person in an unkind or hurtful way. Examples include sarcasm, teasing, put-downs, name-calling, phone calls, spreading rumors or hurtful gossip.
- **Emotional:** Emotional bullying involves behaviors that upset, exclude, or embarrass a person. Examples include nasty notes, saying mean things using technology (e.g., cyberbullying using emails, instant messaging), chat rooms, tormenting threatening, humiliation or social embarrassment.
- **Sexual:** Sexual bullying singles out a person because of gender and demonstrates unwarranted or unwelcome sexual behavior. Examples include sexual comments, abusive comments, unwanted physical contact.
- **Racial:** Racial bullying involves rejection or isolation of a person because of ethnicity. Examples include gestures, racial slurs or taunts, name-calling, making fun of customs/skin color/accent/food choices.

### Parent Responsibility:

Make sure that you or your student or both contact the building principal in a timely manner. If bullying occurs all year long and it is reported in May, it is difficult to assign consequences.

- Encourage your student to have open communication with you, so that if they are too intimidated to make a report, you will help them using one of the available methods above.
- Remember that bullying is a pattern and documentation must be present to find a solution.
- Review the School Responsibilities tab on this page, so you will know what to expect in the way of action from the school.
- Work with your building principal. Bullying of our children is a frustrating matter. The more documentation and teamwork applied, the sooner the student will have desired results.

### Student Responsibility:

- Ask the individual to stop the behavior
- Tell an adult, preferably your parent, your teacher, your principal, or the school counselor, preferably within 48 hours or less
- Make sure to provide all the details of the situation
- **I am too afraid to report because the situation may get worse,** It is important to remember that in order to get bullying stopped it must be reported. Retaliation is not permitted and carries severe consequences for someone who has been disciplined for bullying.

Here are some ways you can report bullying:

- Tell school personnel, preferably the principal, but if not, an adult you trust
- Parents can set up an appointment with the principal, by calling the school office
- Report bullying by texting your report to [bullying@usd244ks.org](mailto:bullying@usd244ks.org), emailing your report to [bullying@usd244ks.org](mailto:bullying@usd244ks.org), or leaving a message at 620-364-4700.

### School Responsibility:

We want to partner with parents and community to stop bullying of our children. It is important to remember that while we take all bullying complaints seriously, sometimes it takes time to get the desired result. Communication with the building principal and documentation is key to stopping this behavior.

**Staff Members-** Any district staff member that receives a report or witnesses bullying needs to be sure that it is reported to the building principal.

**Building Principal-** Building principal will perform the following duties upon receiving a report of bullying from a student, staff member, or parent:

- Ensure that the proper documentation has taken place such as the bullying form
- Investigate the incident and document further findings
- Discuss with the involved students individually
- Interview any witnesses
- Interview the involved students together (only if appropriate)

- Review the definition of bullying and assign consequences according to the handbook if bullying is found to have taken place
- Discuss with students that retaliation is not tolerated
- Set up counseling with one or all students as needed
- The building principal will review the bullying policy and the duty of staff to report on a regular basis with all staff
- The building principal will pass on written reports of bullying to the next building level principal, to ensure that problems that exist for years between particular students are always documented

Important things to remember:

- Principals will use the definition of bullying to determine whether an incident qualifies as bullying
- Timeliness is critical when reporting bullying. If one incident happens in August and is not reported until January, it is difficult to establish a bullying pattern and assign consequences
- Save any physical evidence of bullying including any forms of communication where bullying is taking place

If you have any questions, please contact the building administrator.

### **ACCEPTABLE USE OF COMPUTERS AND NETWORKS**

Students shall have no expectation of privacy when using district internet, e-mail computer systems or electronic devices. E-mail messages shall be used only for approved educational purposes. Students must use appropriate language in all messages. Students are expected to use the system following guidelines approved by teachers or the administration.

Any e-mail or computer application, or information stored in district computers, computer systems, or electronic devices is subject to monitoring by the staff and/or administration. Similarly, student use of district internet services is subject to monitoring at any time. The school retains the right to duplicate any information created by students in a computer system or on any electronic device. Students who violate these rules or any other classroom rules relating to internet access, computers, or electronic devices are subject to disciplinary action up to and including suspension and/or expulsion from school.

### **Consequences of Inappropriate Use**

The use of any district technology is a privilege and not a right. Students are expected to use their computer in accordance with approved policy and any applicable laws. Failure to use this computer in an appropriate manner will result in the following consequences, as determined by the staff and administration of Burlington Middle School:

- Student conference
- Parent conference
- Cancellation of student use or access privileges, including the privilege of taking the computer home
- Any and all school disciplinary actions. Violations will be cumulative and recorded in the school's behavior system.
- Civil or criminal liability under applicable laws

Any violation of this policy could result in detention and assignment of points on the behavior code. At the first opportunity each student will be given this policy, which will be required to be signed by both the student and the parent before any technology use is allowed. The district makes no warranties; either expressed or implied, that the computer and/or network services provided through the district system will be error-free. Any information on district computers is subject to monitoring and cannot be considered private.

The district will not be responsible for any interruption of service or errors experienced by loss of or damage to data. The district will not be responsible for accuracy or quality of information obtained through the system. Users shall indemnify and hold district harmless from any losses sustained as a result of intentional misuse of the system by the user.

### **TELEPHONE**

Please be aware that the telephones located in the office and in the classrooms are there for conducting school business. Students will be given access to these phones for matters of necessity only as determined by school personnel.

### **ELECTRONIC DEVICES**

The staff or administration is not responsible for searching for or finding lost or stolen electronic devices. Students may not record audio or video of other building occupants without prior approval being given to be recorded. Recordings, audio or visual, made in violation of board policy or school rules become the sole property of USD 244, and may be used only with permission of the Superintendent of the district. Students engaging in unauthorized use of these devices or in unauthorized audio or videotaping on school grounds or activities, or with school equipment on or off school grounds, are subject to school consequences up to and including suspension or expulsion.

- Any recordings or photographs made at school, on school or related property, or in connection with a school sponsored event may become the property of Burlington USD 244. If students transmit, or post content in violation of any Board policies, administrative procedures, or school rules, it is understood that Burlington USD 244 has discretion over the use of such recordings and photographs.

Use of any electronic device to record audio, take pictures or record video in areas where there is an expectation of privacy is strictly prohibited and subject to disciplinary action. Use of any electronic device to record audio, take pictures or record video of student misconduct, or that promotes misconduct, is strictly prohibited. Posting audio/video recording to a social media site will result in discipline consequences including the possibility of suspension and or expulsion from school.

Students must only use his/her own username and password when accessing the district's network, sites or apps (including but not limited to the wireless network, Student Information System, Learning Management System, district drives, or other resources). Use of other student/staff usernames and passwords may result in the loss of technology privileges and/or disciplinary action.

-No sounds shall be played over speakers other than headphones. Although headphones are allowed, at no time should music be played at such a volume that other people can hear it.

-Causing a disruption with the use of an electronic device may result in a minor discipline referral and confiscation of the electronic device.

-Refusal to immediately surrender electronic devices to any staff member upon violation of policy is considered open defiance and will result in a major discipline referral.

-Failure to follow electronic devices guidelines shall result in the following:

- Minor discipline referral for the first incident
- With the 2nd incident, the device is confiscated and taken to the office, and the device picked up by the student in the office at the end of the day.
- With the 3rd incident and beyond, the device is not only confiscated and taken to the office, but a parent must pick up the confiscated device. A major discipline referral will be given to the student and points assigned from the behavior code.

### **PERSONAL ITEMS NOT INSURED**

Personal belongings of students are not insured by the school district. It is recommended students pursue private insurance for personal items brought to school as special coverage may be needed to cover items such as personal digital assistants or calculators which may be taken to school.

### **ITEMS NOT ALLOWED IN SCHOOL**

Any item that disrupts/distracts class and the instructional process, i.e. I-pods, MP3 players, water guns, toys, laser pens, etc. are not allowed in school and will be confiscated. Fidget items and/or stress relieving items will only be allowed in class if they do not become a distraction to the learning environment and/or if a student has a written intervention plan for classroom success. Due to health department concerns students will not be allowed to bring pets other than service animals inside the school building. Cell phones must be turned off when students enter the building and placed in their locker. With teacher permission, students may carry their cell phone with them to their 7<sup>th</sup> hour class to help with transition at the end of the day due to various activities or for special classroom projects/activities. Book bags will not be allowed in classrooms and/or hallways (students may use them to carry books to and from school). With teacher permission, students may carry book bags to their 7<sup>th</sup> hour class to help with transition at the end of the day due to various activities. Skateboards are not allowed on school buses, and, if brought to school, they must remain in lockers. The first time a personal item is confiscated it will be returned to the student at the end of the day. If the item is taken again, a parent must come claim the property. After the second offense, students must check the item into the office the rest of the year. Should there be another violation, in-school suspension may be administered. No Pokémon or other trading cards will be allowed at school. Blatant disregard for BMS rules may result in a more severe disciplinary action determined by the BMS administration. Examples: texting in class, using phone in hallway, taking pictures of students/staff, using the phone in other areas in the building such as the bathroom.

### **LOCKERS**

The lockers are taller for coats, deeper for books, and are placed in proximity to grade level classrooms. School lockers are school property and are subject to being searched.

Each student will be assigned a locker and will be expected to keep the locker neat and clean. The school does not guarantee or ensure valuables left in school lockers. Lockers are part of school property and may be searched at any time by the principal or his/her designee.

Lockers can be decorated for birthdays and/or activities with one sheet of paper with the maximum dimensions of 8" Wide X 20" Tall. Each activity/birthday can only have one decoration for the season/birthday. No magnets or stickers will be allowed. Blue painters' tape must be used to secure decorations.

### **BACKPACKS or BINDER**

Students may carry a backpack or binder with them to and from classes. Backpacks should only have items that will be used during the school day. Cell phones still have to be placed in the student's academic locker and turned off. If issues arise with students carrying their backpacks to and from classes, we will go back to students using a binder.

### **TRANSPORTATION**

#### **BUS RIDERS RULES "Don't Lose Your Riding Privilege!"**

Video Cameras may be used on route buses and are private property of USD 244. Appropriate behavior is expected on the bus for all students to allow the driver to transport students safely. Students that fail to comply with the expectations set by the driver will follow the progress discipline:

1<sup>st</sup> Referral: Warning

2<sup>nd</sup> Referral: Loss of transportation privilege for 1-5 days

3<sup>rd</sup> Referral and On: Loss of transportation privilege determined by administration

### **DRIVING TO SCHOOL**

Students who are able to legally drive to school are not allowed to park on school property.

## **GENERAL**

### **SELLING AT SCHOOL**

1. No student should enter a teacher's classroom to make a sale.

2. Students are not to sell to teachers between 7:25AM. and 3:30PM on school days.

3. Students who are selling items should be sure that they are not using their fellow students as a captive audience. Any selling should be on a convenience basis.

### **VISITORS**

At BMS students and teachers are actively learning and teaching. Visitors can be distracting to this process. Please check with the office to arrange your visitation.

## **BIRTHDAY LUNCH CELEBRATIONS**

Due to changes from the U.S. Department of Agriculture and the Kansas State Department of Education, we are no longer allowing students to have food brought to their table for other students. A parent may bring their son or daughter food, but no other students at the table can be brought food by that parent.

## **GIFTS**

Personal gifts such as flowers, balloons, birthday, Valentines and Christmas gifts will not be distributed at school. Please send this type of item to the student's home.

## **LOST AND FOUND**

These items will be kept near the office and will be disposed of periodically, typically at the end of each Semester. Students and parents should check this area for missing items

## **HEALTH FOR THE MIDDLE SCHOOL**

### **HEALTH SERVICES**

The school nurse provides BMS administration a building schedule. She is also available in an emergency. She updates immunizations and conducts screenings.

In each school year, prior to admission to and attendance in school, every pupil enrolling or enrolled in any school for the first time in the state of Kansas must present certification from a physician or local health department that the pupil has received or is in the process of receiving and will have completed within 90 days after admission to the school, such tests and inoculations as are deemed necessary by the Secretary of Department of Health and Environment. The inoculations pupils must have before enrolling in any Kansas school for the first time may be found at:

[http://www.kdheks.gov/immunize/download/2017-18\\_School\\_Requirement\\_Memo.pdf](http://www.kdheks.gov/immunize/download/2017-18_School_Requirement_Memo.pdf).

This requirement may be waived if such inoculations would seriously endanger the life or health of the child. Additionally, upon receipt of a written statement signed by one parent or guardian that the child is an adherent of a religious denomination whose religious teachings are opposed to such tests or inoculations, the requirement may be waived.

The school nurse will notify the parents of any inoculations needed to be in compliance with this statute. Failure to comply with this requirement may result in the exclusion of the student from school so as not to endanger his/her health or the health of others.

### **MEDICATION POLICY**

Due to recommendations from the State Board of Education, U.S.D. #244 has revised its procedures concerning the storage and dispensing of medication to students during school hours.

We will no longer be custodians for any medication that is not prescribed by a physician or other medical person authorized to prescribe medication. If there are any over-the-counter medications that you feel your child might need to take during school hours throughout the school year, please have your physician fill out the directions and sign the Permission for Medication form. This form is available from the nurse's office or the building office. Medications should be brought to the school by the parent(s) in its original container. For prescription medications, please ask the pharmacist to label a bottle for home and a bottle for school. We will accept a current labeled pharmacy bottle in lieu of a physician's signature on the Permission for Medication form. Any changes in the type of medication, dosage, or time of administration shall be accompanied by a new Permission for Medication form. Generally, the only medication that will be available to a student and stored in the nurse's office is medication that is supplied by a parent and prescribed by physician or other medical personnel authorized to prescribe medication.

### **IMMUNIZATIONS**

Kansas State Law requires all students to have up-to-date immunization records prior to starting school in the fall. Parents will be notified by mail, phone, email, and/or text if their student's immunizations need to be updated prior to the beginning of the next school year. Students without up-to-date immunizations by September 30th of each year will be excluded until immunizations are up to date in the health office. Any boosters due after the school year has started will be due within 30 days after they expire, or the student will be excluded from school until an up-to-date immunization record is received. Students new to the district must show proof of up-to-date immunization status prior to enrolling. Students transferring in from another state will be given 30 days to complete immunizations required in Kansas that were not required by the state in which they are transferring from. Students with medical exemptions or religious exemptions are to have the appropriate form signed YEARLY. Medical and religious documentation must be provided PRIOR to the student's 1st day of school to have the appropriate form signed yearly. Those students with religious exemptions need to sign a form upon entry to school.

### **MEDICATIONS AT SCHOOL**

It is desirable for medications to be administered in the home. However, it is recognized some students are able to attend school regularly because of the effective use of medication in the treatment of chronic illness or disabilities. It is also recognized that in many short-term illnesses, medications may need to be continued after a student returns to school. It is the school's intent to cooperate with the parents and their physician in seeing that the student receives the correct medication and dosage at the proper time.

If a student must take medication more than three times a day or at a specific time of day, he/she is eligible to take the medication at school. These procedures are to protect the student and to eliminate unnecessary medication administrations at school. In order to promote the safety and well being of students, all prescription and non-prescription drugs must be kept in the nurse's office under lock and key. Before medication can be given or taken at school the following procedure must be followed: prescription medications must be in the original container and clearly labeled with the student's name and dosage information and the medication administration form/physician's order must be completed and signed by both the parent and the physician. If dosages or times change a written notice from the physician is needed. Students requiring EpiPens for severe allergic reactions will be required to supply

their own. The school will not have stock EpiPens on hand. The school does not stock any prescription medication. Any student not following this procedure will be considered in violation of the Drug and Self-Abuse Policy.

**Over-The-Counter Medications** – Parents will be asked to provide all over the counter medication for their student. Permission for these medications must be on file yearly. This may be done during online enrollment, or the form may be acquired from the school nurse. The health office will have a limited supply of Tylenol, Advil (or the generic equivalent) and cough drops available to the students for special circumstances. Permission to give medications will not be accepted over the phone. All medications must be in the original bottle and clearly labeled with the student's name and is to be provided by the parent.

## **SAFETY**

### **BURLINGTON MIDDLE SCHOOL PARENT COMMUNICATION AND NOTIFICATION**

BMS will utilize a number of tools to communicate with all stakeholders. The district website will be updated as time of events are changed or cancelled. Please visit [www.usd244ks.org](http://www.usd244ks.org) for the latest information. Parents will be receiving a mailing which will contain access codes for monitoring student grades, attendance, lunch balances, and more. Parent Square will be utilized for communication on a regular basis.

### **STUDENT RELEASE IN TIMES OF CRISIS**

If the district has activated its crisis plan and enacts the Student Safety and Release procedure, parents will receive a message through the automated calling system (Everbridge). This message will include information about where and when students may be picked up and other critical details. Regardless of the circumstances, students will be released only to a parent/guardian or a previously identified emergency contact person; all adults will be required to provide a driver's license or another form of photo ID.

### **TORNADO DRILLS**

Upon receipt of information that a tornado threatens, public warnings will be sounded. As information on the progress of the storm becomes available, it will be broadcast promptly.

1. Upon receipt of a tornado warning in the area, the principal or designated person to act in his/her absence shall sound the alarm. The signal to take cover is repeated short rings of the class bells.
2. If time does not permit going to the pre-assigned shelter area, students and teachers should get into the safest area of the room. This will normally be the inside wall of the room, farthest away from any opening, windows, or doors. Students should be directed to crawl under desks or other large pieces of furniture that will afford some protection. Upon reaching the shelter area or safest place in the room, as the storm approaches, draw up the knees and clasp hands over neck or head. The shelters will be designated during the first week of school. Student's routes will be posted in each room.

### **FIRE DRILLS**

Fire drills are called several times during the year. When a fire siren is sounded, pupils will pass rapidly but in an orderly manner, from their rooms. Instruction upon the route to be taken by the pupil will be explained in each room before the first fire drill. **Students' routes will be posted in each room.**

### **A.L.I.C.E. Active Threat Procedures:**

Alert – Lockdown - Inform - Counter - Evacuate - Student safety is a top priority at USD# 244. To support student safety USD #244 has adopted a new policy and procedure that experts across the country believe will increase the chance of survival during an active shooter incident should it occur. This new procedure includes training for our staff and students.

## **ATHLETICS/EXTRA CURRICULAR ACTIVITIES (MORE ALIGNED WITH BHS)**

### **BURLINGTON MIDDLE SCHOOL ATHLETICS/ACTIVITIES PROGRAMS**

All interscholastic athletic/activity programs conducted in the Burlington school system shall be in accordance with the rules and regulations prescribed by the National Federation of State High School Associations or those approved by that organization. Policies and guidelines set forth in the Kansas State High School Activities Association Handbook will be diligently adhered to and strictly enforced.

The following athletics or activities are offered at all 7<sup>th</sup> and 8<sup>th</sup> grade students: Football, Volleyball, Cross Country, Girls Basketball, Wrestling, Boys Basketball, Track, and Scholars Bowl

### **Welcome from our Athletic Director**

I would like to welcome all of our sponsors, students and parents back for what we hope will be an excellent year at Burlington Middle School. At Burlington Middle School we attempt to strike a balance between the goals of high academic achievement for our students integrated with a healthy approach to student activities. With your help and support we can accomplish both objectives and provide maximum educational opportunities for students at Burlington Middle School.

This document is a resource for sponsors, students and parents during the activity school year. Communication is essential for the success of any program, and it is our hope at BMS that this handbook will answer any questions that you may have.

Participation in extra-curricular activities is a **PRIVILEGE**. Student participants are not entitled to playing time, position on a team or other special considerations. These items are determined by ability, work ethic and commitment to a team/program. Burlington Schools' coaches/sponsors are charged with teaching, evaluating and establishing the best team possible for available participants while keeping the focus on the educational process of extra-curricular activities.

Parents are encouraged to support your child's decision to participate in an activity and hope that you will be involved in the activities. You are the key! Help them understand and abide by the rules, regulations, and policies in this handbook. Set yourself as a role model for your student, in your actions throughout the activity season. In a world that is flooded with drugs, alcohol and violence, we feel that with the support of the education system, the coaching staff and you, we can make a difference.

Please take the time to read through the handbook. If you have any questions, please do not hesitate to contact me.

It's a Great Day to be a Wildcat!

Taylor Wilson  
Activity/Athletic Director

### **Community & School Pride**

Competing at Burlington High School means more than competing for yourself or even in your team. It means representing the entire community. If we want to WIN, we have to develop a sense of pride for ourselves, our school, and our community. If we are truly proud of our school, we should know our school song and sing it with energy and enthusiasm. Moving forward, it is the expectation that every Burlington athlete knows the school song:

### **School Pride**

It is also an expectation that our athletes truly embody a desire to represent the community and school with their best efforts possible. Our athletes should be the leaders at every Pep Rally, Community Event, etc. with the following BMS Athletics Mantra:

***It's a Great Day to be a Wildcat!***  
***We Love to Wear the Red & Grey!***

### **Athletics Communication**

Our community, coaches, and kids are passionate about our Athletics programs. As such, questions often arise throughout the year regarding a variety of potential circumstances. When questions come up, please follow the chain of command found below. This will allow us to be as efficient and effective with the communication process as possible.

*We will always encourage student-athletes to first advocate for themselves. Student-athletes and parents/guardians can all follow the process found below:*

*Step #1:* Speak with Assistant Coaches/Sponsors

*Step #2:* Speak with Head Coach/Sponsor

*Step #3:* Speak with Activities Director, Taylor Wilson

*Step #4:* Schedule Meeting with all involved parties, to include the Athlete(s), Parent/Guardian, AD, and Principal (Matt Spring) if needed

*Step #5:* Contact/Meet with Superintendent Craig Marshall

As an Athletics department, we will also strive to keep the community informed of any schedule or event changes, upcoming special events, etc. The primary place to get information regarding BHS Athletics will be through Everbridge and Facebook. We also have the cumulative schedule posted to our website and will keep our school calendar updated as any changes occur.

### **Communicating with Coach/Sponsor**

Burlington Middle School has a primary mission to provide opportunities for students to gain valuable educational experiences through extra-curricular activities. Throughout your participation in extra-curricular activity, you may have questions that arise. The following protocol should be followed when contacting a coach/sponsor with a concern.

1. Allow emotions to settle for at least 24 hours before contacting coach/sponsor
2. Contact coach/sponsor via email or phone – following these steps
  - a. Step I: Determine whether coach/sponsor and participant have spoken regarding the concern
  - b. Step II: Set a meeting with coach / sponsor, parent and participant if necessary
  - c. Step III: If concern is not addressed contact Activities Director to schedule meeting with coach/sponsor, parent, participant and activities director
  - d. Step IV: Contact Principal to set meeting with coach/sponsor, parent, participant, AD and Principal.
  - e. Step V: If concern had not been resolved, contact USD 244 Board Clerk to receive formal complaint form and instructions.

- Failure to comply with protocol may result in suspension from attending Burlington School activity events.

### **Parent/Guardian Information Meetings**

All Athletics programs at Burlington Middle School will have a parent meeting following the first day of practice. There will be an evening of parent meetings in the Fall for all Fall sports teams. Parents/guardians and student-athletes are encouraged to attend. For Boys Basketball, Girls Basketball, Wrestling, and Track there will be a parent meeting on the evening after the first practice.

### **Individual Sports Handbooks**

Every Athletics program at Burlington Middle School is expected to have a Handbook given to each parent/guardian and athlete at the beginning of that season. The handbooks will be distributed either before or during the parent meeting at the beginning of the season. Each handbook will support the information found in this Athletics Handbook, while also including sport-specific expectations in terms of practice times, schedules, meetings, etc. Parents/guardians and student-athletes should read through the handbook in its entirety and ask any questions to the head coach as soon as possible after the parent meeting. Handbooks will also include the best method to contact the Head Coach and Assistant Coaches, and how to sign up to receive activity-specific information. The communication within each individual activity is expected to be clear and easy for all parents/guardians and athletes. Head coaches will use the Remind app to communicate whole team information and should reply to inquiries within 24 hours.

### **Eligibility**

1. This regulation pertains to all student participating in extracurricular activities/athletics.
2. In order to be eligible for extracurricular activities/athletics, a student must have passed at least five new subjects of unit weight the previous semester and must be currently enrolled in at least five new subjects of unit weight.

3. A student shall not be permitted to make up work after the close of the semester for the purpose of becoming eligible. An “incomplete” or “in progress” shall count as a failure. However, should a student have an excused absence for days missed, completing such work per school policy would not be considered as “make up” work per se. Summer school is not to be used for making up credit deficiencies for the purpose of becoming eligible.
4. All extracurricular participants shall comply with KSHSAA eligibility policies.
5. In addition to following the KSHSAA guidelines, a weekly grade review will be made of students participating in extracurricular activities/athletics each semester. **A student earning two F’s will be ineligible for one week.** Ineligible students may participate in practice but not competition. The ineligible period will be 6 days. The high school ineligible period will be Monday through Saturday. It will be the responsibility of the Athletic Director and/or principal to review all students participating in extracurricular activities/athletics weekly and each semester.
6. In the event that the student qualifies for one or more special programs offered in the school, including an individual educational plan (IEP), or qualifies for an accommodation plan under Section 504 of the Rehabilitation act of 1973, a staff committee will review the eligibility status of the student. In all cases, the student must meet the KSHSAA guidelines in order to participate. The following middle school activities/athletics include football, basketball, wrestling, track, and any music contests sponsored by KSHSAA. Additional activities students would be ineligible for include reward days, end of year activities, special fieldtrips, school dances, and/or any other activity deemed a privilege by the administration.
7. In addition, **should a student receive an office referral the day of an activity, he or she will not be eligible for that day’s competition.**

### Activity Transportation

Students are expected to ride to and from any activity in a school vehicle. Sponsors and/or coaches have the flexibility to allow students/athletes to ride home from events with their own parents if the following guidelines are met:

1. The parent talks directly to the sponsor, ask to have the parent’s “own” child dismissed, and sign the student out at the conclusion of the activity.
2. In the event a parent needs to request someone else (grandparent, another adult, etc....) take a child home at the conclusion of an activity, plans must be made in advance of the activity with the office and provide a signed note by the parent of whom their child will be going with.
3. The guidelines of each individual coach or sponsor of a specific organization must also be followed.

### Activity Forms

No student will be allowed to participate in an organized practice until the following is on file with the school:

*All forms must be signed by a parent or legal guardian. Forms are posted on the USD 244 website.*

1. Current physical examination form
2. Medical consent form
3. Assumption of risk form
4. Concussion & head injury release form
5. Random drug testing consent form

### Medical Policy

The school shall make available school accident insurance forms so students can purchase coverage for accidents if they so desire. **(This insurance policy is a secondary type of policy. It does not cover treatment services when benefits are payable under any other insurance or medical plan.)**

Please note the school insurance is a catastrophic insurance plan. We cannot make any commitment as to when/if the KSHSAA catastrophic will cover.

### Practice

Participants are expected to attend all practice sessions. Unexcused absence from (one or more practices) could result in suspension for one contest. Persistent violations (two or more absences) will result in the offender being dropped from the squad. The head coach will determine if an absence is excused or unexcused. Unexcused absence from school on the day of a contest will prohibit an individual from participation in that contest. A student must check in at the office by 12:00 noon on the day of a contest if he/she wants to participate in any after school activity (games and/or practices) unless other arrangements have been made. A student is required to be in school on time the day after an activity.

Part of commitment to a program is commitment from the start of the season to the end. Fall practices start before school begins, winter sports have practices over Winter Break, and spring sports have practices over Spring Break. Each Head Coach will have a schedule in advance of the season of when those practices are, what is required over breaks, etc. Please communicate with the sport Head Coach with questions, but the general expectation is that athletes are present for all required practices, including during breaks.

### Student in Good Standing

KSHSAA Rule 14 “Bona Fide Student”

1. In order to be eligible for participation, the student must be a bona fide undergraduate member of that school and in good standing
  - a. **A student who is under penalty of suspension or whose character or conduct bring discredit to the school or student, as determined by administration, is not in good standing and is ineligible for a period of time as specified by the administration.**
  - b. Burlington Schools’ Administration with cooperation from coaching / sponsors has the final determination of a bona fide student in good standing.
2. Community and Law Enforcement Authorities

Any student who has been convicted of a misdemeanor or felony crime or been adjudicated a juvenile offender shall not be allowed to participate in and represent the school in any interscholastic activity until they have completed and complied with all orders of the court. Probation is not considered as part of, nor does it pertain to this policy.

### Substance Use

The use or possession of

- Intoxicating beverages
- Tobacco in any form including electronic cigarettes

- Vaping in any form
- Illegal drugs
- Prescription drugs without correct medical prescription

while participating in interscholastic sports and/or KSHSSA sponsored activities is prohibited. See KSHSSA activities journal for a list of activities. Any observation of violation, by staff or law enforcement should be reported to the administration, head coach and/or sponsor for their information. Any violation (in admittance to or observation of) will result in the following procedures:

- First offense - suspension from the next two (2) consecutive calendar performance dates. These only include the KSHSSA sponsored activities the student participates in and may carry over between seasons.
- Second offense - suspension from all interscholastic sports and/or school sponsored activities for the remainder of that school year.

It should be the duty of any and all coaches knowing of or observing a violation to report it to the athletic/activities director and/or principal. activity until they have completed and complied with all orders of the court. Probation is not considered as part of, nor does it pertain to this policy.

### **Profanity**

Profanity will not be condoned on the practice field, in the locker rooms or in contests. Persistent violators will be suspended from competition. Profanity is evidence of poor sportsmanship and is offensive to other players, coaches, officials and the public.

### **Sportsmanship**

Good sportsmanship is a major goal of Burlington's athletic/activities program. Good sportsmanship involves two things: (1) devotion to sport (hard work) and (2) graceful acceptance of results, a high standard of conduct in honest competition. Repeated unsportsman-like conduct by an athlete will result in a meeting with the sponsor, player, parent and athletic director before the next contest to determine a plan of action. Included in this is the use of profanity, which will not be condoned in practice, locker rooms, or competitions. Persistent sportsmanship issues, including profanity, will impact athletes "Student in Good Standing" status.

### **Activity Participation**

A student participating in an activity is expected to complete the full season of that activity. If circumstances arise causing the student to be unable to finish the season, the student must schedule an in-person meeting with the Head Coach of that activity to discuss the decision and to turn in all equipment. Student will also meet with the Athletic Director to finish the process. Head Coach and AD meeting, as well as the turning in of equipment, must be done prior to starting another activity.

If a student wishes to switch sports, they must have the approval of both coaches and the Athletic Director.

### **Fees**

Admission fees for events at Burlington Middle School and other Pioneer League schools are \$3 for adults and \$2 for students. Fees may be different at non-league schools and junior varsity contests. **\*\* Admission fees are subject to change.**

### **Pioneer League Schools**

- Burlington Middle School, 720 Cross, Burlington, KS 66839
- Garnett Anderson Co. Middle School, 1100 W HWY 31, Garnett, KS 66042
- Iola Middle School, 600 East St., Iola, KS 66749
- Osawatomie Middle School, 428 West Pacific Ave., Osawatomie, KS 66064
- Prairie View-LaCygne Middle School, 13731 Ks HWY 152, LaCygne, KS 66040
- Santa Fe Trail-Carbondale Middle School, 15701 S. California Rd., Carbondale, KS 66414
- Wellsville Middle School, 602 Walnut St., Wellsville, KS 66092

### **The Coach and Players**

In relationship with players, the coach should always be aware of the tremendous influence he/she wields, for good or bad. Parents entrust their dearest possessions to the charge of the coach; and the coach, through example, must always be sure that his/her influence will have a positive effect upon the players. It is our hope that each coach will produce a finer and better young person for having participated under his/her guidance.

Every coach is a living example in the community. It is vitally important that his/her actions and behavior bring credit to the school, athletes and community.

The coach should instill within contestants an active concern and respect for excellence in academic learning as well as excellence in their activity or sport.

### **Inclement Weather**

In situations where school is dismissed early because of inclement weather, all school athletic/activity practices will be canceled for that day.

## **USD #244 DISTRICT POLICIES AND PROCESSES**

### **Complaint Process**

Informal Process: Anyone may use informal procedures to report and resolve complaints of bullying. At the building level, programs may be established for receiving anonymous complaints. Such complaints must be appropriately investigated and handled consistent with due process requirements. Informal reports may be made to any staff member, although staff shall always inform complaints of their right to, and the process for, filing a formal complaint. Staff shall also direct potential complaints to an appropriate staff member who can explain the informal and formal complaint process and what a complainant can expect. Staff shall also inform an appropriate supervisor or designated staff person when they receive complaints of harassment, intimidation, or bullying, especially when the complaint is beyond their training to resolve or alleges serious misconduct.

Informal remedies may include an opportunity for the complainant(s) to explain to the alleged perpetrator that the conduct is unwelcome, disruptive, or inappropriate either in writing or face-to-face; a statement from a staff member to the alleged perpetrator that the alleged conduct is not appropriate and could lead to discipline if proven or repeated; or a general public statement from an administrator in a building reviewing the district harassment, intimidation and bullying policy without identifying the complainant, parent, guardian, or because the district believes the complaint needs to be more thoroughly investigated.

**Formal Complaint Process:** Anyone may initiate a formal complaint of bullying, even if the informal complaint process is being utilized. Complainant(s) should not be promised confidentiality at the onset of an investigation. It cannot be predicted what will be discovered or what kind of hearing may result. Efforts should be made to increase the confidence and trust of the person making the complaint. The district will fully implement anti-retaliation provisions to protect complainant(s) and witness(es). Student complainants and witnesses may have a parent or trusted adult with them, if requested, during any district initiated investigatory activities. The administrator may conclude that the district needs to investigate based on information in their possession regardless of the complainant's interest in filing a formal complaint.

**False Reporting:** USD #244 policy prohibits any person from falsely accusing another as a means of bullying. The consequences and appropriate remedial action for a person found to have falsely accused another as a means of bullying may range from positive behavioral interventions up to and including suspension and/or expulsion. Consequences and appropriate remedial action for a school employee found to have falsely accused another as a means of bullying shall be disciplined in accordance with district policies, procedures, and agreements.

**Factors for Determining Consequences**

- Age, development, and maturity levels of the parties involved
- Degree of harm
- Surrounding circumstances
- Nature and severity of the behavior(s)
- Incidences of past or continuing pattern(s) of behavior
- Relationship between the parties involved
- Context in which the alleged incident(s) occurred

**Possible Consequences**

- Admonishment
- Temporary removal from the classroom
- Loss of privileges
- Classroom or administrative detention
- Referral to disciplinarian
- In-school suspension during the school week for students
- Out-of-school suspension
- Legal action
- Expulsion or termination
- For parents, suspension of access to school, school activities, and/or communication channels with staff or students at school

**Board Policy JGECA: 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, on the basis of race, color, national origin, or disability. Discrimination or harassment on the basis of race, color, or national origin ("racial harassment") or on the basis of disability ("disability harassment") shall not be tolerated 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.

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

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

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

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

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

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

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

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

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

An employee who witnesses an act of racial or disability harassment shall report the incident to the building principal. Employees who fail to report complaints or incidents of racial or disability harassment to appropriate school officials may face disciplinary action. School administrators who fail to investigate and take appropriate corrective action in response to complaints of racial or disability harassment may also face disciplinary action.

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

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

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

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

A summary of this policy shall be posted in each district facility and shall be published in student handbooks and on the district's website as directed by the district's compliance coordinator. Notification of the policy shall be included in the school newsletter or published in the local newspaper annually, if applicable. (See GAACA, GAAB, GAF, JDDC and KN)

## **SEXUAL HARRASSMENT**

The board of education is committed to providing a positive and productive learning and working environment, free from discrimination on the basis of sex, including sexual harassment. The district does not discriminate on the basis of sex in admissions, employment, or the educational programs or activities it operates and is prohibited by Title IX from engaging in such discrimination. Discrimination on the basis of sex, including sexual harassment, will not be tolerated in the school district. Discrimination on the basis of sex of employees or students of the district in any district education program or activity is strictly prohibited.

Sexual harassment is unlawful discrimination on the basis of sex under Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, and the Kansas Act Against Discrimination. All forms of sexual harassment are prohibited at school, on school property, and at all school-sponsored activities, programs, or events within the United States.

It shall be a violation for any employee to discourage a student from filing a complaint, or to fail to investigate or refer for investigation, any complaint lodged under the provisions of this policy.

Sexual harassment shall include conduct on the basis of sex involving one or more of the following: (1) A district employee conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcomed sexual conduct; (2) unwelcomed conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's educational program or activity; or (3) sexual assault, dating violence, domestic violence, or stalking.

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

The district encourages all victims of sexual harassment and persons with knowledge of such harassment to report the harassment immediately. Complaints of sexual harassment will be promptly investigated and resolved. Any person may make a verbal or written report of sex discrimination by any means and at any time.

Superintendent, 301 Neosho, Burlington, KS 66839, 620-364-8478, cmarshall@usd244ks.org has been designated to coordinate compliance with nondiscrimination requirements contained in Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964 regarding discrimination on the basis of sex, and the Kansas Act Against Discrimination. Information concerning the provisions of these Acts, and the rights provided thereunder, are

available from the Title IX Coordinator. Inquiries about the application of Title IX to the district may be referred to the Title IX Coordinator; to the Assistant Secretary for Civil Rights at the U.S. Department of Education, Office of Civil Rights, 400 Maryland Avenue, SW, Washington D.C. 20202-1100, (800) 421-3481, or at OCR@ed.gov; or both.

#### Response to Harassment Complaints

The district takes all reports of sexual harassment seriously and will respond meaningfully to every report of discrimination based on sex, including sexual harassment, of which the district has actual knowledge. Any students who believe that he or she has been subjected to sexual harassment should report the alleged harassment to the building principal, another administrator, the guidance counselor, the Title IX Coordinator, or another licensed staff member. All employees receiving reports of sexual harassment from a student shall notify the Title IX Coordinator.

#### Definitions

The following definitions apply to the district in responding to complaints of sexual discrimination including sexual harassment as defined by Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, and the Kansas Act Against Discrimination.

The "complainant" means an individual who is alleged to be a victim of conduct that could constitute sexual harassment.

"Dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved.

The "decision-maker" reviews all the evidence and prepares an impartial written responsibility determination as to whether the alleged conduct occurred and provides an opportunity for the parties and their representatives to prepare written questions to be answered by the other party. The decision-maker shall not be the Title IX Coordinator or investigator.

"Domestic violence" includes crimes of violence committed by a person who is a current or former spouse, partner, person with whom the victim shares a child, or who is or has cohabited with the victim as a spouse or partner, by a person similarly situated to a spouse of the victim under Kansas or applicable federal law, or by any other person against an adult or youth victim having protection from such person's act by Kansas or applicable federal law.

A "formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the district investigate the allegation of sexual harassment.

The "investigator" is the person who carries out the investigation after the formal complaint is filed and conducts interviews of the witnesses, collects, and documents evidence, and drafts an investigative report.

A "respondent" is an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

"Sexual assault" means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

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

The "Title IX Coordinator" is the individual designated at the district level who has responsibility to coordinate compliance with Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964 regarding discrimination on the basis of sex, and the Kansas Act Against Discrimination. The Title IX Coordinator's responsibilities include, but are not limited to: developing materials and ensuring professional development occurs for staff involved in Title IX compliance, creating systems to centralize records, gathering relevant data, contacting the complainant (and/or parents or guardians, if applicable) once the district has actual knowledge of alleged sexual harassment, coordinating the implementation of supportive measures, signing a formal complaint to initiate a grievance process, and ensuring any remedies are implemented.

The Title IX Coordinator, any investigator, decision-maker, or any person who facilitates an informal resolution process shall not have a conflict of interest or bias for or against the complainant or respondent. These individuals shall receive training on the definition of sexual harassment; the scope of the education program and activities; how to conduct an investigation, including appeals and informal resolution processes; and how to serve impartially, including by avoiding prejudgment of the facts, conflicts of interest, and bias. Decision-makers shall receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant. Investigators shall receive training on issues of relevance of questions and evidence in order for them to create investigative reports that fairly summarize relevant evidence.

Any employee who witnesses an act of sexual harassment or receives a complaint or harassment from other employee or student shall report the complaint to their immediate supervisor, building administrator, or Title IX Coordinator. Employees who fail to report complaints or incidents of sexual harassment to appropriate district officials may face disciplinary action. District officials who fail to investigate and take appropriate corrective action in response to complaints of sexual harassment may also face disciplinary action.

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

If discrimination or harassment has occurred, the district will take prompt, remedial action to stop it and prevent its recurrence.

The Title IX Coordinator shall promptly respond in a meaningful way to any reports of sexual discrimination including sexual harassment of which the district has actual knowledge as follows"

- Contact the complainant within 10 business days and discuss the availability of supportive measures, with or without the filing of a formal complaint, and consider the complainant's wishes as to supportive measures: and
- Inform the complainant of the right to a formal complaint investigation consistent with Title IX and the informal resolution process.

#### Supportive Measures

The district will treat the complainant and respondent equitably by offering supportive measures. These non-disciplinary and non-punitive measures will be offered as appropriate, as reasonably available, and without cost to the complainant or respondent. Supportive measures are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party. "Supportive Measures" shall include, but not be limited to, measures designed to protect the safety of all parties, to protect the district's educational environment, or to deter sexual harassment. These measures may include counseling, extensions of deadlines or course-related adjustments, modifications of work or class schedules, escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring, and other similar measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

#### The Formal Complaint

No investigation of alleged sexual harassment may occur until after a formal complaint has been filed.

A formal complaint is a document filed by the complainant or signed by the Title IX Coordinator alleging sexual harassment and requesting an investigation. The procedures for filing a formal complaint are as follows:

- At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the district concerning which the formal complaint is filed.
- A formal complaint should be filed in writing and contain the name and address of the person filing the complaint. The complaint should briefly describe the alleged violation. Filing of the complaint with the Title IX Coordinator may be done in person, by mail, or by email. If an individual does not wish to file a written complaint, and the matter has not been adequately resolved, the Title IX Coordinator may initiate the complaint. Forms for filing written complaints are available in each school building office and the central office.
- A complaint should be filed as soon as possible after the conduct occurs, but not later than 180 calendar days after the complainant becomes aware of the alleged violation, unless the conduct forming the basis for the complaint is ongoing.
- An investigation shall follow the filing of the complaint. If the complaint is against the superintendent, the board shall appoint an investigating officer. In other instances, the investigation shall be conducted by a qualified individual designated by the Title IX Coordinator, or another individual appointed by the board. The investigation shall be thorough. All interested persons, including the complainant and the respondent, will be afforded an opportunity to submit written or oral evidence relevant to the complaint.

#### Formal Complaint Notice Requirements

Upon filing of a formal complaint, the district shall provide written notice to the known parties including:

- Notice of the allegations of sexual harassment including sufficient details to prepare a response before any initial interview including:
  - the identities of the parties involved, if known.
  - the conduct allegedly constituting sexual harassment; and
  - the date and location of the alleged incident, if known.
- The district's investigation procedures, including any informal resolution process.
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation.
- Notice to the parties they may have an advisor of their choice and may inspect and review any evidence; and
- Notice to the parties of any provision in the district's code of conduct or policy that prohibits knowingly making false statements or knowingly submitting false information.

If, in the course of an investigation, the investigator decides to investigate allegations about the complainant or respondent that are not included in the notice initially provided, notice of the additional allegations shall be provided to known parties.

#### Formal Complaint Investigation Procedures

To ensure a complete and thorough investigation and to protect the parties, the investigator shall:

- Ensure that the preponderance of the evidence burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the district and not the parties.
- Provide an equal opportunity for the parties to present witnesses and evidence.
- Not restrict either party's ability to discuss the allegations under investigation or to gather and present relevant evidence.
- Allow the parties to be accompanied with an advisor of the party's choice.
- Provide written notice of the date, time, location, participants, and purpose of any interview, meeting, or hearing at which a party is expected to participate.
- Provide the parties equal access to review all the evidence collected which is directly related to the allegations raised in a formal complaint, including the investigative report, and the opportunity to respond to that evidence before a determination is made.
- Be impartial and objectively evaluate all relevant evidence without relying on sex stereotypes.
- Not have conflict of interests or bias for or against complainants or respondent.
- Not make credibility determinations based on the individual's status as complainant, respondent, or witness.

#### Formal Complaint Investigation Report

The investigator shall prepare an investigative report that fairly summarizes relevant evidence and share the report with the parties and their advisors for review and response.

Before completing the investigative report, the investigator must send each party and their advisors the investigative report for review and allow the parties 10 days to submit a written response for the investigator's consideration.

#### Decision-Maker's Determination

Upon receiving the investigator's report, the decision-maker must make a determination regarding responsibility and afford each party the opportunity to submit written, relevant questions that the parties want asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions.

The decision-maker must issue a written determination regarding responsibility based on a preponderance of the evidence. The decision-maker's written determination shall:

- Identify the allegations potentially constituting sexual harassment.
- Describe the procedural steps taken, including any notifications to the parties, site visits, methods used to gather evidence, and interviews.
- Include the findings of fact supporting the determination.
- Address any district policies and/or conduct rules which apply to the facts.
- A statement of, rationale for, the result as to each allegation, including a determination regarding responsibility; and
- The procedures and permissible bases for the complainant and/or respondent to appeal the determination.

The written determination may, but is not required to, recommend disciplinary sanctions and any remedies designed to preserve access to the educational program or activity that may be provided by the district to the complainant.

A copy of the written determination shall be provided to both parties simultaneously.

The range of disciplinary sanctions and remedies may include, but may not be limited to, supportive measures, short term suspension, long term suspension, expulsion for students, and/or termination for employees. Complainants and respondents shall be treated equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made. The Title IX Coordinator is responsible for the effective implementation of any remedies. If the investigation results in a recommendation that a student be suspended or expelled, procedures outlined in board policy and state law governing student suspension and expulsion will be followed.

If the investigation results in a recommendation that an employee be suspended with or without pay or terminated, procedures outlined in board policy, the negotiated agreement (as applicable) and/or state law will be followed.

Records relating to complaints filed and their resolution shall be maintained by the Title IX Coordinator for seven years.

The decision becomes final on the date the parties receive the results of an appeal, if any appeal is filed, or on the date the opportunity for an appeal expires.

#### Appeals

The complainant or respondent may appeal the decision-maker's determination regarding responsibility or a dismissal of a formal complaint, on the following base:

- Procedural irregularity that affected the outcomes.
- New evidence that was not reasonably available at the time that could affect the outcome; and/or
- The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias against either party that affected the outcome.

The request to appeal shall be made in writing to the Title IX Coordinator within 10 days after the date of the written determination. Appeals shall be a review of the record by an attorney, an independent hearing officer appointed by the board, or the board. The appeal decision-maker may not be the Title IX Coordinator, the Investigator or the decision-maker from the original determination.

The appeal decision-maker will issue a written decision within 30 days after the appeal is filed. The appeal decision-maker will describe the result of the appeal and the rationale for the result.

The appeal decision-maker shall:

- Review the evidence gathered by the investigator, the investigator's report, and the original decision-maker's determination.
- Notify both parties in writing of the filing of an appeal and give an opportunity to submit further evidence in writing.
- Not have a conflict of interest or bias for or against complainant or respondent and receive the required training.
- Issue a written decision and the rationale for the decision within 30 days after the appeal is filed.
- Describe the result of the appeal and the rationale for the result in the decision; and
- Provide the written decision simultaneously to both parties and to the Title IX Coordinator.

#### Informal Resolution Process

At any time during the formal complaint process and prior to reaching a determination regarding responsibility, the district may facilitate an informal resolution process, such as mediation, which does not involve a full investigation and determination of responsibility.

The informal resolution process may be facilitated by a trained educational professional, consultant, or other individual selected by the Title IX Coordinator under the following conditions:

- The parties are provided a written notice disclosing the allegations, the requirements of the informal resolution process, information on when it may preclude the parties from resuming a formal complaint arising from the same allegations.
- At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the investigation of the formal complaint and be informed of any consequences resulting from participating in the informal resolution process.
- The parties voluntarily and in writing consent to the informal resolution process; and
- The informal resolution process cannot be used to resolve allegations that an employee sexually harassed a student.

If the matter is resolved to the satisfaction of the parties, the facilitator shall document the nature of the complaint and the proposed resolution, have both parties sign the documentation and receive a copy, and forward it to the Title IX Coordinator. Within 20 days after the complaint is resolved in this manner, the Title IX Coordinator shall contact the complainant to determine if the resolution of the matter remains acceptable. If the matter is not resolved, or if the individual does not believe the resolution remains acceptable within 20 days after the informal resolution document is executed, the individual or the Title IX Coordinator may process with the formal complaint process.

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

Use of this complaint procedure is not a prerequisite to the pursuit of any other remedies including the right to file a complaint with the Office of Civil Rights of the U.S. Department of Education, the Equal Employment Opportunity commission, or the Kansas Human Rights Commission.

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

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

A summary of this policy and the complaint procedures including how to report or file a formal complaint of sex discrimination or sexual harassment shall be posted in each district facility, shall be published in student handbooks, and on the district's, website as directed by the Title IX Coordinator. Notification of the policy may include posting information notices, publishing in local newspapers, publishing in newspapers and magazines operated by the school, or distributing memoranda or other written communications to students and employees. In addition, the district is required to include a statement of nondiscriminatory policy in any bulletins, announcements, publications, catalogs, application forms, or other recruitment materials that are made available to participants, students, applicants or employees. (See GAAC, GAAD, GAF, JDDC and KN)

#### **ANNUAL NOTICE TO PARENTS AND STUDENTS OF RIGHTS UNDER THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT**

Under the provisions of the Family Educational Rights and Privacy Act (FERPA), parents of students and eligible students (those who are 18 or older) are afforded various rights with regard to educational records which are kept and maintained by Unified School District No. 244. In accordance with FERPA, you are required to be notified of those rights which include:

1. The right to review and inspect all of your educational records except those which are specifically exempt. Records will be available within 45 days of the day the district receives a request for access.
2. The right to prevent disclosure of personally identifiable information contained in your educational records to other persons with certain limited exceptions. Disclosure of information from your educational records to other persons will occur only if:
  - a. we have your prior written consent for disclosure.
  - b. the information is considered "directory information" and you have not objected to the release of such information; or
  - c. disclosure without your prior consent is permitted by law. The district may disclose personally identifiable student record information, without your consent, as follows:
    - 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 in order to fulfill his or her professional responsibility.
    - to officials of another school district in which your child seeks to enroll or intends to enroll. The district will forward the records to officials of other schools or school systems in which the student intends to enroll without further notice to student.
    - To authorized persons to whom a student has applied for or from whom a student has received financial aid.
    - To state and local officials or authorities to whom such information is specifically required to be reported or disclosed pursuant to state statutes.
    - To organizations conducting studies for educational agencies for the purpose of developing, validating or administering student tests or programs.
    - To accrediting organizations.
    - To parents of a student 18 years of age if parents claim the student as a dependent for income tax purposes.
    - To appropriate persons if knowledge of any information is necessary to protect the health or safety of the student or other persons in an emergency.

- To 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.
  - In compliance with a lawfully issued subpoena or judicial order.
3. The right to request that your educational records be amended if you believe the records are misleading, inaccurate, or otherwise in violation of your rights. This right includes the right to request a hearing at which you may present evidence to show why the record should be changed if your request for an amendment to your records is denied in the first instance.
  4. The right to file a complaint with the Family Policy and Regulations Office at the U.S. Department of Education if you believe that Unified School District No. 244 has failed to comply with FERPA's requirements. The address of this office is 400 Maryland Avenue SW, Room 4074, Washington, DC 20202-4605.
  5. The right to obtain a copy of Unified School District No. 244 policies for complying with FERPA. A copy may be obtained from Mr. Craig Marshall, Superintendent, 301 Neosho Street, Burlington, KS 66839

**Directory Information:** For purposes of FERPA, Unified School District No. 244 has designated certain information contained in educational records as directory information which may be disclosed for any purpose without your consent. This information would not generally be considered harmful or an invasion of privacy if disclosed. The following information is considered directory information: name, address, telephone number, electronic mail address, date and place of birth, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees, honors and awards received, the most recent previous school attended by the student, class designation or grade level, enrollment status (e.g., undergraduate or graduate, full-time or part-time), major field of study, photographs, and parent or guardian.

You have a right to refuse to permit the designation of any or all of the above information as directory information. If you refuse, you must file written notification to this effect with Unified School District No. 244 at the building office on or before **August 20, 2020, or within two weeks of enrollment if transferring after the start of school.** If a refusal is not filed, Unified School District No. 244 assumes you have no objection to the release of the directory information designated.

#### **Students with Disabilities**

It is the policy of the Board of Education to provide a free and appropriate public education to each student with a disability within its jurisdiction, regardless of the nature or severity of the disability.

It is the intent of the district to ensure that students with a disability within the definition of Section 504 of the Rehabilitation Act of 1973 or the Individuals with Disabilities Act (IDEA) are identified, evaluated and provided with appropriate educational services.

Students with disabilities and their parents may have a right to a due process hearing to challenge decisions of the school. For questions about these rights, contact Mr. Craig Marshall, Superintendent and coordinator of Section 504 activities or Lindsey Graff, Director of Special Education.

#### **Referral Procedures**

A referral for a comprehensive evaluation shall be made whenever screening or pre-assessment indicates a child may be exceptional. In addition, the 90-day notice from an infant and toddler program under Part H of the federal Individuals with Disabilities Education Act (IDEA) shall constitute a referral for a comprehensive evaluation. For obtaining a comprehensive evaluation under IDEA, contact the Coffey County Special Education Director, at 200 South Sixth, Burlington, KS. 66839 Phone: (316) 364-5151.

#### **JCDAA TOBACCO FREE SCHOOL GROUNDS FOR STUDENTS**

The use, possession, or promotion of any tobacco product by any student is prohibited at all times in any district facility; in school vehicles; at school-sponsored activities, programs, or events; and on school owned or operated property.

Student violations will result in disciplinary actions as outlined by board policy and/or student handbooks. Disciplinary actions may include parent/guardian notification, participation in a tobacco and electronic nicotine delivery systems education program, referral to a cessation program, and/or community service. Student violations may be reported to law enforcement if use or possession is deemed to be illegal.

The following definitions apply to this policy.

"Tobacco product" means any product that is made from or derived from tobacco, or that contains nicotine, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including, but not limited to, electronic nicotine delivery system (hereafter "ENDS"), cigarettes, cigars, pipe tobacco, chewing tobacco, snuff, or snus.

"Tobacco product" also means any component or accessory used in the consumption of a tobacco product, such as filters, rolling papers, pipes, charging devices, cartridges, and any substances used in ENDS, whether or not they contain nicotine. This definition does not include FDA-approved nicotine replacement therapies including transdermal nicotine patches, nicotine gum, and nicotine lozenges prescribed to the student by a medical practitioner or obtained over the counter and used in accordance with label requirements.

"Electronic nicotine delivery system" or "(ENDS)" means any device that delivers a vaporized solution (including nicotine, THC, or any other substance) by means of cartridge or other chemical delivery systems. Such definition shall include, but may not be limited to, any electronic cigarette, vape pen, hookah pen, cigar, cigarillo, pipe, or personal vaporizer. ENDS are not FDA-approved nicotine replacement therapy devices.

"Promotion" includes, but is not limited to, product advertising via branded gear, bags, clothing, and personal articles, signs, structures, vehicles, flyers or any other materials. (See GAOC and KMA)

## **ASBESTOS NOTIFICATION**

Congress enacted the asbestos Hazard Emergency Response Act (AHERA), in 1986, AHERA was enacted to determine the extent of and develop solutions for any problems schools may have with asbestos. USD #244 has had all of its facilities inspected by a certified asbestos inspector as required by AHERA and has completed the mandatory 3-year inspection, the most recent being completed in February 2018. The next inspection will occur in February of 2021.

Asbestos-containing materials identified in the district were floor tiles. While some areas of floor tile were removed due to the possibility of damage to them (e.g., wood shop, auto body shop), other areas of floor tile continue to contain asbestos. The district custodial staff practices proper work practices, which are designed to refrain from disturbing the asbestos floor tiles. Since the asbestos fibers are not released unless the floor tile is damaged due to sanding, abrading or otherwise pulverizing it, no action to remove the floor tile is planned at this time.

A copy of the asbestos management plan, which has been implemented by USD #244, is available for inspection by contacting the asbestos program manager, Margarito Solano, at the district administration office located at 200 South Sixth Street in Burlington.

## **Board Policy EBBA- Hazardous Waste Inspection and Disposal**

### Inspection

Regular inspection of district facilities for hazardous waste shall be conducted by the maintenance director. Written records of these inspections shall be maintained.

### Disposal

When hazardous waste material is produced in a class, or otherwise located in the district, its disposal shall be in accordance with state and federal rules and regulations, or current law.

### Rules

The superintendent shall develop written rules and procedures for notifying district administrators that hazardous waste has been discovered and/or produced and rules for reporting the proper disposal of waste. These rules and regulations shall be distributed to all staff members via the district website.

## **Board Policy JFA: Limited Peer Grading**

### Limited Peer Grading Allowed:

Peer grading shall be allowed when the teacher believes peer grading will be a valuable learning experience for the class. During a peer grading activity, the teacher shall use the activity to help students review class concepts or objectives. If peer grading is allowed, students shall not be asked to publicly reveal either their own grade or the grade of another student.

\*KASB recommendation. This is the easiest way to avoid privacy and legal issues, which may arise if students are allowed access to each other's work and/or grades.

## **Board Policy GAFF- Emergency Safety Interventions**

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

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

### Definitions

"Campus police officer" means a school security officer designated by the board of education of any school district pursuant to K.S.A. 72-6146, and amendments thereto.

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

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

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

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

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

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

"Parent" means: (1) a natural parent; (2) an adoptive parent; (3) a person acting as a parent as defined in K.S.A. 72-3122(d)(2), and amendments thereto; (4) a legal guardian; (5) an education advocate for a student with an exceptionality; (6) a foster parent, unless the student is a child with an exceptionality; or (7) a student who has reached the age of majority or is an emancipated minor.

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

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

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

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

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

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

### **Prohibited Types of Restraint**

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

- Using face-down (prone) physical restraint.
- Using face-up (supine) physical restraint.
- Using physical restraint that obstructs the student’s airway.
- Using physical restraint that impacts a student’s primary mode of communication.
- Using chemical restraint, except as prescribed treatments for a student’s medical or psychiatric condition by a person appropriately licensed to issue such treatments; and
- Use of mechanical restraint, except:
  - Protective or stabilizing devices required by law or used in accordance with an order from a person appropriately licensed to issue the order for the device.
  - Any device used by a certified law enforcement officer to carry out law enforcement duties; or
  - Seatbelts and other safety equipment when used to secure students during transportation.
  -

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

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

### **ESI Restrictions**

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

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

### **Use of Seclusion**

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

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

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

### **Training**

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

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

### **Notification and Documentation**

The principal or designee shall notify the parent the same day as an incident. The same-day notification requirement of this subsection shall be deemed satisfied if the school attempts at least two methods of contacting the parent. A parent may designate a preferred method of contact to receive the same-

day notification. Also, a parent may agree, in writing, to receive only one same-day notification from the school for multiple incidents occurring on the same day.

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

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

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

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

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

#### **Documentation of ESI Incidents**

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

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

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

After each incident, a parent may request a meeting with the school to discuss and debrief the incident. A parent may request such 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 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 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 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 depa:11pt">Date: \_\_\_\_\_

Dear: \_\_\_\_\_

The purpose of this letter is to inform you that on \_\_\_\_\_, at \_\_\_\_\_ (a.m./p.m.)  
(date) (time)  
the need for the use of an Emergency Safety Intervention was required for \_\_\_\_\_.  
(name of student)

***K.A.R. 91-42-1 through 92-42-7 provide that emergency safety intervention (hereafter "ESI") is defined to include the use of seclusion or physical restraint but not the use of time-out or physical escort. Whenever an ESI is used, the parent(s)/guardian(s) must be informed of the use the day it happens. This notice requirement is deemed satisfied if the school attempts at least two methods of contact to reach the parent or guardian. By the day following the ESI use, written notification of the following shall be provided to the parent or guardian.***

Type of ESI used: Seclusion \_\_\_\_ Restraint \_\_\_\_ Duration of seclusion/restraint: \_\_\_\_\_ (minutes) Location: \_\_\_\_\_

Name of staff member(s) who participated in or supervised the ESI:  
\_\_\_\_\_  
\_\_\_\_\_

Did the student have an Individualized Education Program ("IEP"), Section 504 Plan, or a Behavior Intervention Plan at the time of the incident? \_\_\_\_\_  
If so, specify which: \_\_\_\_\_  
\_\_\_\_\_

Description of events leading up to the incident:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Student behaviors necessitating the ESI:  
\_\_\_\_\_  
\_\_\_\_\_

Steps taken to transition the student back into the educational setting:  
\_\_\_\_\_  
\_\_\_\_\_

Parents or guardians of the above-named student are invited and strongly encouraged to schedule a meeting to discuss the ESI and how to prevent future ESI use. Please contact the following staff member at the email address and/or phone number listed below to schedule such a meeting or if you have any questions regarding this use of ESI.

(Staff Member Name) \_\_\_\_\_  
(Staff Member Email Address) \_\_\_\_\_  
(Staff Member Phone Number) \_\_\_\_\_

\_\_\_\_\_  
(Signature of person completing report) (Date)

\*Parent(s)/guardian(s) notified of this incident on \_\_\_\_\_ by \_\_\_\_\_.

Please feel free to provide feedback or comments concerning this ESI use below and email or deliver them to the staff member specified above.

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\*Original provided to Building Principal

\*Copy provided to (Parents/Guardians, Administrative Office)



**COFFEY COUNTY**

SPECIAL EDUCATION  
COOPERATIVE

**Special Education  
Policies, Procedures,  
and Practices Manual  
2025-2026**

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# I. Child Find

## A. Public Notice for Child Find in Coffey County Special Education Cooperative

Coffey County Special Education Cooperative (CCSEC) seeks to identify every student needing special education services from age 3 to 21 living within the CCSEC boundaries. Areas of disability that qualify a student for special education include: developmentally delayed, visual impairments, deaf/hard of hearing, autism, traumatic brain injury, emotional disturbance, specific learning disabilities, intellectual disabilities, multiple disabilities, orthopedic impairments, other health impairments, and speech or language impairments. Gifted students are also served through CCSEC special education services.

All CCSEC special education services are designed to offer appropriate educational opportunities for each qualifying student, as well as to provide assistance and support in the areas of physical, mental, emotional, and social growth. State and federal laws are followed in providing each student with a free appropriate public education in the least restrictive environment.

### Private Schools

The Director of Special Education or designee annually consults with each private school within the district jurisdiction to solicit and provide information about special education services for private school students. Documentation of the consultation with private schools such as meeting minutes, phone logs, sample agreements, and/or letters/correspondence, will be retained by the district. At this time there are no private school within CCSEC boundaries.

### Home Schools

Screening is available for children who are home schooled. Notice is provided through the channels noted under the "Public Notice" section above, as well as the "Screening for Children from Birth to Age 5" section below.

### Students with Potential Exceptionalities

Coffey County Special Education Cooperative implements age-appropriate screening procedures to identify, locate, and evaluate students suspected of having a disability. Child find and screenings are the first steps in identification of exceptional children. Group screening procedures consider all students in a given population in order to locate students who may be in need of more intensive general education supports or special education services. No child is placed in special education based solely on the results of screening. CCSEC implements systematic procedures to screen for and to help identify special learning needs, including mandatory vision and hearing screening measures. State and district-wide assessment results are reviewed to ensure students are making progress towards proficiency. Information may also come by referral from parents or the students themselves, behavioral data and observations, and/or grade level performance data.

If screening results suggest a specific student is failing to make expected progress, the student typically will be referred to the general education intervention (GEI) process outlined later in this document.

## **B. Screening for Children from Birth to Age 5**

In Kansas, Child Find requires a screening process for children from birth to age five and a GEI process for children kindergarten age through 21.

In order to achieve the best outcome for the child, it is important to identify and treat developmental concerns at the earliest possible age. Any time it is suspected that a child (birth to five) may be a child with a disability, school personnel, the family, and/or individuals or medical providers in the community may refer him/her for screening. When screening information indicates the possibility of a delay or disability, the child is referred for further evaluation.

The COOP conducts periodic screenings of children ages three to five years who reside in the Coffey County boundaries. Developmental areas assessed include motor, speech/language, concepts, self-help/adaptive behavior, social/emotional, hearing and vision. If deficits are identified through screening, the child may be referred for an initial evaluation or a preschool experience may be recommended.

Various community agencies (Parents as Teachers, home visiting programs, physicians' offices, the Coffey County Health Department, Part C providers, etc.), as well as all Coffey County Elementary Schools, can provide information on how to access developmental screenings, and they make screening referrals to the Coffey County Schools on a regular basis.

Persons requesting a screening may contact the Part B program at 620-364-5151 to provide necessary intake information.

For children birth to two years- nine months old, TPS refers parents/caregivers to Infant/Toddler Services (Part C) for screening and assessment. CCSEC has developed an interagency agreement regarding the transition process from Part C to Part B services.

For children currently receiving Infant/Toddler services (Part C), coordinating meetings with Part C providers are held annually to discuss program issues and possible changes in the transition process. No more than six months, but not fewer than 90 days before a child turns three (or as soon as possible for a child who becomes eligible for Part C within the six month period before third birthday), the Infant/Toddler Program will make a referral to the CCSEC Schools of potentially eligible students.

### Educational Autism Suspected

If there are concerns that a child may have an Autism Spectrum Disorder (ASD), certified screening staff at the preschool will further assess whether or not an evaluation for educational autism is appropriate. If the screening suggests the child has sufficient characteristics of a child with an ASD, specific educational interventions appropriate for children with this disorder may be provided, implemented, and monitored.

### Early Childhood Special Education Evaluation

Some children who are identified with delays on the developmental screening are referred for an initial evaluation. This evaluation will include assessments in all areas of concern and is conducted by a multidisciplinary team that may include a speech language pathologist, an early childhood special education teacher, a school psychologist, a school social worker, and/or related services providers as needed. Parents are involved through a parent interview and are active participants in the evaluation process. Evaluation methods and tools conform to the state's eligibility criteria indicators. Following the evaluation process, an eligibility team convenes to determine eligibility for an Early Childhood placement and makes recommendations for any supports and services needed.

### **C. General Education Interventions (GEI) for Students Kindergarten through Age 21**

Kansas law requires implementation of general education interventions (GEI) prior to initiation of comprehensive special education evaluations of school age children, including those with speech and language concerns, unless it is clearly not feasible to do so, or unless a parent has requested an evaluation be initiated and has requested the interventions be provided concurrently with the evaluation.

The purpose of GEI is to provide a process to help support students with academic and/or behavioral concerns or needs. The function of the GEI Team is to develop, implement, and progress monitor intervention plans to assist students. Using data from general education setting/environments, the team conducts a problem-solving process to select interventions that provide the necessary support for the student to be successful within the general education classroom. The team reviews and analyzes information from a variety of data sources that may include teacher reports, developmental history, medical information, cumulative record, and current performance measured against curriculum expectations. If the team suspects the presence of an exceptionality, following an ongoing review of intervention data from a customized plan, the student may be referred for an initial evaluation.

In the GEI process, an inventory of student strengths and needs is generated. Needs are prioritized, and the top one or two are chosen as targets for intervention. Strengths should be incorporated in the plan to bolster intervention effectiveness. Interventions are also chosen based on an analysis of the problem and a working hypothesis explaining why (to the best understanding of the team) the identified need/problem exists/occurs. Suggested interventions are then discussed and chosen for implementation based on their applicability to the identified need as explained by the hypothesis.

Properly executed plans begin with a solid baseline of the problem/need (for example, frequency of occurrence or score on a curriculum-based measurement [CBM]). The baseline becomes the foundation from which to evaluate progress toward the goal and effectiveness of the interventions.

The general education teacher (or proxy) collects data on the student's responses to the suggested interventions, enabling the team to refine its understanding of the problem and hypothesis, and to make adjustments to the plan accordingly. Examples of data collected to determine if interventions are either effective or inadequate to address the concerns include CBM, observation, running records, classroom performance data, teacher/parent/student interview, student data, file review, work samples, and parent questionnaire. Frequent progress monitoring that is sensitive enough to determine intervention effectiveness should occur. Often, effective general education interventions are sufficient for the student to be successful, and no further intervention is required.

Parents **MUST** be made aware of and have an opportunity to be involved in this problem-solving process. It is best practice for parents to participate in GEI meetings regarding their student. Information regarding the impact of the student's interventions should be routinely and regularly shared with parents. Written records must be kept in a secure location by each school team documenting the specific student need, interventions to be tried, person(s) responsible, timeline for interventions, and results of the interventions. Decisions made by the GEI Team must be kept by each school team in the school's GEI folder on the Google Drive.

Special education personnel are available to participate on GEI teams and to consult with general educators regarding interventions and progress monitoring. Information collected by the GEI team becomes the basis for referral for an initial evaluation and is necessary to establish the need for specialized education.

#### Preschool Students

For preschool students, GEI can be considered as a way to try interventions before a student is referred for a comprehensive evaluation or after a child is determined to be not eligible for special education services. GEI should not replace a parent's right to a developmental screening and if determined to be necessary, a comprehensive evaluation.

### ELL Students in the GEI Process

A protocol is in place to ensure appropriate interventions have been tried and documented for students whose first language is not English. The purpose is to begin the task of distinguishing cultural and linguistic differences from potential disabilities. The English Language Learner (ELL) program must screen these students and make service recommendations to the family **before** referrals for special education comprehensive evaluations are accepted. For students already in an ELL program, the ELL teacher is typically invited to participate in the GEI process. For students in buildings without an ELL program, consultation is typically requested from the program coaches or coordinator. Documents guiding screening teams through the decision-making and intervention process for English Language Learners are available from the coordinators of social work, speech/language pathology, or psychology.

### Educational Autism Suspected While Student is in the GEI Process

If there are concerns that the child may have an Autism Spectrum Disorder (ASD), the team will follow the GEI procedures by generating a list of strengths and needs defining the student's behavioral and/or learning difficulties and hypothesizing why these difficulties occur.

The team can consult with the building school psychologist, school social worker, or speech/language pathologist to determine if an autism spectrum disorder screening is appropriate.

The school psychologist, school social worker, and speech/language pathologist in the building will determine the point person responsible for the screening. Select screening tools will be available in order to conduct an appropriate screening. Referral for screening by an occupational therapist may also be made if sensory or motor issues are observed.

At a minimum, a screener will: 1) observe the student in the classroom and/or other school setting; 2) talk with the parent(s) about their child's language and social-emotional development; and 3) talk with the teacher(s) about what characteristics might suggest the student has an ASD. The purpose is to gather information to guide intervention development and implementation.

If the screening suggests the child has sufficient characteristics of a child with an ASD, specific interventions appropriate for children with this disorder will be provided, implemented, and monitored.

If the GEI Team determines the interventions are inadequate to meet the student's needs, a referral will be made for a comprehensive evaluation.

A symptoms checklist Appendix A

## **D. Information Gathering Activities and Screening versus Evaluation**

Prior to and during the GEI process, school teams should gather and review all available student information to inform instructional strategies and general education interventions. If, after reviewing available student information, it is determined additional information is needed, staff must first consider whether the information gathering activity or assessment would constitute screening or evaluation. This distinction is important because federal regulations are very clear that schools may not initiate any evaluation activities unless all special education due process protections are in place. These include, among other things, providing parents with their Parent Rights in Special Education and obtaining written, informed consent.

Guidance in the federal regulations indicates that "screening refers to a process that a teacher or specialist uses to determine appropriate instructional strategies. The comments go on to describe screening as typically being a relatively simple and quick process that is used to determine strategies to more effectively

teach children. This would include examples of such things as universal screening and progress monitoring tools (e.g. Aimsweb Plus, Fastbridge, etc.) that yield information teachers may use to more appropriately select interventions tailored to a student's area of academic need, observations of children in various environments from which analyses of behavior patterns may occur in order to direct staff to appropriate intervention selection, and diagnostic tools which assist school personnel in a deeper understanding of the student's presenting concern so that more effective interventions may be selected. It should be made very clear here that the latitude given by this regulation is NOT to be interpreted as a way to circumvent other regulations pertaining to evaluation.

The difference between screening and evaluation is the intent of the activities. If the intent of the activities is to determine instructional strategies, that constitutes screening. It is clear in the regulation and subsequent comments that the ONLY activities that may be considered screening are those activities which result directly in information to be used solely for the purpose of designing instructional strategies. At any point that the intent changes to seek to determine if the student is a child with an exceptionality or if the student is in need of special education, that is evaluation and all due process protections come into play. At that point, parents must be contacted to seek consent for initial evaluation." (KSDE Special Education Process Handbook, p. 31).

#### **E. Special Education Staff Participation in General Education Interventions**

GEI participation for special education service providers and related service providers are described below. If you are requesting special education service provider or related service provider involvement, please read this information first.

Any interventions undertaken must be time-limited, data-based, and must be able to be accomplished without interfering with the primary job responsibilities of the staff member involved.

Assigning Child Find responsibilities to special education and related services personnel should be closely monitored to ensure compliance with IDEA so that IEPs are followed and FAPE **continues** to be provided to students with exceptionalities. Certain GEI activities require time log and documentation as per state reimbursement guide.

#### **Special Education Teachers and Special Education Paraprofessionals**

The general rule is that special education teachers/paraprofessionals cannot serve as the case manager for a general education intervention as part of formal or tiered interventions through the GEI process. However, they can serve on the GEI team, provide consultation and collaboration, and assist in data collection, as their caseload permits. Special education staff should avoid committing to regular provision of and/or planning of general education instruction in order to maintain flexibility for serving special education students. The exception to the general rule is that these staff can serve as the service provider under the following conditions:

- a) The student for whom the intervention is being provided is in a classroom in which they co-teach or already provide inclusion support.
- b) The intervention cannot take place in a setting or through a delivery model that primarily involves service to the student in a one-on-one pullout from the general education classroom. No pullout to a special education classroom/setting should take place as part of the intervention.
- c) The intervention is time-limited and data is being collected on a periodic basis to determine the progress of the intervention.
- d) The participation by the special education teacher does not negatively impact services to identified students on that teacher's primary special education caseload (If implementation of a GEI intervention begins to interfere with the special education teacher's ability to provide special

education services to identified students, it should no longer be provided by the special education teacher/paraprofessional). IEP services are to be provided in the appropriate settings and for the amount of time indicated on student IEPs.

### Special Education Service and Related Service Providers

As noted above, any special education staff work in the GEI process must be time-limited, data-based, and must be able to be accomplished without interfering with the primary job responsibilities of the staff member. While special education providers may be included in the GEI process, there are parameters with regard to funding that need to be considered. For additional information, please see the Kansas Special Education Reimbursement Guide for State Categorical Aid.

- **Adaptive P.E.** - Can be involved in consultation and must be involved via consultation in cases involving PE-specific concerns and prior to requests for screening.
- **School Psychologists** - Can be involved in consultation at any level, participation in the GEI team, and any general education intervention after the case has been formally presented to the GEI team. Their involvement may take the form of assisting in the collection of data, brief counseling, development and monitoring of a behavior and/or classroom management plans, etc.
- **School Social Workers** - General education intervention as part of child find is an allowable special education activity for social workers. Contact your building social worker for additional information.
- **Speech/Language Pathologists (SLP)** - For students with articulation, voice or fluency -only concerns, the SLP and/or speech paraprofessional may be the service provider for the intervention for time limited, data-based interventions and must be able to be accomplished without interfering with the primary job responsibilities of the staff member. For any other area of concern, the speech/language pathologist should not be the primary provider for the intervention.
- **Occupational Therapists (OT)** - Can be involved in consultation and must be involved via consultation in cases involving OT-specific concerns and prior to requests for screening. May assist with particular case for purpose to review OT-specific referral data; shall not routinely participate in the GEI meetings nor provide direct general education interventions to students who do not have an IEP.
- **Physical Therapists (PT)** - Can be involved in consultation and must be involved via consultation in cases involving PT-specific concerns and prior to requests for screening. May assist with particular case for purpose to review PT-specific referral data; shall not routinely participate in the GEI meetings nor provide direct general education interventions to students who do not have an IEP.
- **Other Related Service Providers who may be involved in GEI** - includes Teacher of Deaf/Hard-of-Hearing, Teacher of the Blind/Low Vision, Transition Coordinator, and Preschool Coordinator. Can be involved in consultation and must be involved via consultation in cases involving area-specific concerns and prior to requests for screening. May assist with particular case for purpose to review area-specific referral data; shall not routinely participate in the GEI meetings nor provide direct general education interventions to students who do not have an IEP.

### **F. Referral for Initial Evaluation – Preschool Process**

#### Staff Referral for Evaluation

The Part B screening team determines whether a referral for a comprehensive evaluation will be made based on one or more of the following:

- a) the child scores 1.5 standard deviations at or below the mean on the developmental screening instrument;

- b) the child scores within 1.5 standard deviations of the mean on a developmental screening instrument, but parents/caregivers and/or preschool/childcare staff have additional concerns and observation data collected by an Early Childhood Special Education staff person indicates that the child warrants further evaluation;
- c) the child is referred from a Part C provider;
- d) the child is referred by a community agency and/or physician (with appropriate parental release of information) with written documentation suggesting a possible developmental delay and/or disability.

### Parent Request for Evaluation

When a parent makes a request for evaluation, the school must respond to the request within a “reasonable period of time.” KSDE guidance on a “reasonable period of time” is defined as no more than 15 school days. Once the parent request is received, the school must then determine if the initial evaluation is warranted.

The Part B Program Coordinator, in collaboration with the Early Childhood Special Education screening staff, will obtain information from the child’s parent(s), the childcare/community preschool teacher, the child’s physician and/or other relevant community agencies (with appropriate parental consent).

The School Psychologist will contact the parent/caregiver to discuss their concerns. The School Psychologist will explain to the parent(s) that a developmental screening process, which precedes an initial evaluation, is available for the student. Data from the developmental screening provides preliminary information about what areas need to be assessed as part of the initial evaluation. If the parent requests and Part B staff agree the evaluation is appropriate, the evaluation may proceed without first conducting a developmental screening.

If the decision of the building team is to conduct an evaluation, these steps will be followed:

- 1) An Early Childhood Special Education teacher will obtain parent consent and provide a copy of the consent form and Parent Rights to the parent(s) within 15 school days.
- 2) An evaluation will be conducted as outlined under the early childhood evaluation section of this manual.

If the decision is not to pursue an evaluation:

- 1) Parent is contacted by the School Psychologist after informing the Special Education Director.
- 2) Parents are informed of the decision not to evaluate and the reasons for the refusal both orally and through Prior Written Notice (PWN) of refusal within 15 school days. Parents are also informed of their rights under IDEA and are provided a copy of their Parent Rights.
- 3) Consideration will be given to the need for general education interventions or a 504 plan.

If the parent presents written information from an outside agency (such as a prescription from a medical doctor or a diagnostic report) stating the need for an evaluation and/or IEP, the school, through screening, will determine the need for such an evaluation. If the decision is to pursue the evaluation, medical information from the community will generally be accepted and incorporated into “Question 1” of the eligibility determination. “Question 2” (evidence of educational need) will still have to be determined. The school must provide Prior Written Notice and parental rights to the parent if they refuse to consent to the evaluation.

### Process for Referral for Evaluation for Children Transitioning from Part C to Part B Services

When a child is transitioning into the Part B early childhood special education services from the Part C early intervention services, the school is required to ensure that:

- a) A representative of the district will participate in transition planning conferences arranged by the Part C program (K.A.R. 91-40-2(b));
- b) Eligibility is determined under Part B requirements;
- c) An IEP is in effect by the child's third birthday; and
- d) If a child's third birthday occurs during the summer, the child's IEP team must determine the date when services will begin, but at no time should services begin later than the beginning of the school year following the child's third birthday.

Referral process steps:

1. The Part C service provider calls the Part B School Psychologist to schedule a transition meeting 90-100 days before the child's third birthday.
2. A transition meeting is held with the Part C provider(s), parent(s), and Part B School Psychologist. At this meeting, the Part B Transition Coordinator will schedule a tentative eligibility date/time (two weeks prior to the child's third birthday).
3. The Part B School Psychologist will create a consent form in Webkidss and contact parents 40 days prior to the eligibility meeting to secure consent and provide parents with a copy of that consent and their Parent Rights (Procedural Safeguards) in Special Education. Signing of consent starts the 60-school day timeline in which the evaluation must be conducted. The Part B Transition Coordinator will schedule a possible evaluation date with the parent(s) at this time for the first testing session.
4. The Part B School Psychologist enters the child in Webkidss.
5. The Part B PreK Teacher becomes the case manager.
6. The Part B School Psychologist assembles an evaluation team and provides them with the demographic information on the child, a copy of the transition meeting notes, and the IFSP.
7. The Part B School Psychologist contacts the parent(s) to schedule testing dates.
8. The Part B School Psychologist reviews the possible Part B recommendations regarding eligibility, services, and placement with the Part C contact to address any possible concerns prior to the evaluation meeting and/or IEP meeting.
9. Written notice of this meeting will be given to the parent(s) at least 10 days in advance of the meeting date.
10. If the child qualifies for service, the Part B School Pscyhologist and the PreK Special Education teacher is responsible for completing the IEP paperwork, AEPS, and COSF, and notifying the receiving IEP team of the placement of the new student.

*See chapter 2, Initial Evaluation Paperwork Responsibilities for Preschool for more information.*

Process for Referral for Evaluation following a Developmental Screening in a General Education Setting (i.e. childcare center/private community preschool)

1. The screening team completes the screening report indicating a recommendation for a comprehensive evaluation.
2. The screening team gives the child's special education file to the School Psychologist then enters the child in Webkidss
3. The School Psychologist assigns the case to an Early Childhood Special Education teacher (for comprehensive evaluations) or a Speech Language Pathologist (for speech only evaluations),

depending on the location of the child's current childcare provider or community preschool site. This person becomes the case manager for the evaluation.

4. The School Psychologist prepares the consent for an initial evaluation and contacts parent(s) to schedule a meeting to review the document and obtain their signature(s). At this meeting, the case manager secures consent and provides parents with a copy of that consent and their Parent Rights (Procedural Safeguards) in Special Education. Signing of consent starts the 60-school day timeline in which the evaluation must be conducted. The case manager will also schedule a tentative eligibility date/time with the parent(s) at this time. Written notice of this meeting needs to be given to the parent(s) at least 10 days in advance of the meeting date.
5. Once the school psychologist receives the completed testing sign-up sheet, he/she sends a copy to the parent and child care/community preschool staff so they are aware of the dates/times the child may be evaluated.
6. The school psychologist scans and sends out a copy of the consent form to the evaluation team. The case manager gives the original consent form to the School Psychologist.
7. The school psychologist sends out the eligibility meeting date/time/location to the evaluation team. Written notice of this meeting needs to be given to the parent(s) at least 10 days in advance of the meeting date.
8. The School Psychologist is responsible for completing the IEP paperwork, AEPS, and COSF if the child qualifies for services.

*See chapter 2, Initial Evaluation Paperwork Responsibilities for Preschool for more information.*

#### Process for Referral for Evaluation in an Early Childhood Special Education Classroom following a Developmental Screening

1. The screening team completes the screening report indicating a recommendation for a comprehensive evaluation.
2. The screening team gives the child's special education file to the School Psychologist and the PreK Special Education Teacher.
3. An Early Childhood Special Education Teacher becomes the case manager for the evaluation.
4. A School Psychologist will call the parent to let them know what school the child will attend for the evaluation period. The parent will go to that school to fill out enrollment paperwork. The building secretary will help the parent complete enrollment papers.
5. The case manager prepares the consent for an initial evaluation and contacts parent(s) to schedule a meeting to review the document and obtain their signature(s). At this meeting, the case manager secures consent and provides parents with a copy of that consent and their Parent Rights (Procedural Safeguards) in Special Education. Signing of consent starts the 60-school day timeline in which the evaluation must be conducted.
6. The special education teacher or school psychologist emails the tentative eligibility meeting date/time/location to the evaluation team. Written notice of this meeting needs to be given to the parent(s) at least 10 days in advance of the meeting date.
7. The case manager is responsible for completing the IEP paperwork, AEPS, and COSF if the child qualifies for services.

*See chapter 2, Initial Evaluation Paperwork Responsibilities for Preschool for more information.*

### Process for Referral for Evaluation by Appointment following a Developmental Screening

1. The screening team completes the screening report indicating a recommendation for a comprehensive evaluation.
2. The screening team gives the child's special education file to the school psychologist for the evaluation. The file is then given to the MIS clerk or the School Psychologist will enter the child in Webkidss.
3. An Early Childhood Special Education Teacher becomes the case manager for the evaluation.
4. The school psychologist prepares the consent for an initial evaluation and contacts parent(s) to schedule a meeting to review the document and obtain their signature(s). At this meeting, the case manager secures consent and provides parents with a copy of that consent and their Parent Rights (Procedural Safeguards) in Special Education. The case manager will give the original consent to the school psych and will scan a copy to the evaluation team. Signing of consent starts the 60 school day timeline in which the evaluation must be conducted. The case manager will also schedule a tentative eligibility date/time with the parent(s) at this time.
5. The school psychologist emails the tentative eligibility meeting date/time/location to the evaluation team. Written notice of this meeting needs to be given to the parent(s) at least 10 days in advance of the meeting date.
6. The School Psychologist is responsible for completing the IEP paperwork, AEPS, and COSF if the child qualifies for services.

*See chapter 2, Initial Evaluation Paperwork Responsibilities for Preschool for more information.*

### Process for Referral for a Speech Only Evaluation Following a Developmental Screening

1. The screening team completes the screening report indicating a recommendation for a speech evaluation. The screening report must include documentation that all other areas of development were reviewed with no additional concerns.
2. The screening team gives the child's special education file to the Speech Language Therapist who enters the child in Webkidss. The Speech Language Therapist sends the student's packet (background information form, screening summary, screening forms, and permission forms) electronically to the evaluating SLP.
3. The evaluating SLP becomes the case manager.
4. The case manager prepares the Prior Written Notice for Evaluation, and then contacts parent(s) to schedule a meeting to review the document and obtain signature consent for evaluation. The case manager also provides parent(s) with a copy of their Parent Rights (Procedural Safeguards) in Special Education. Signing of consent starts the 40-school day timeline in which the evaluation must be completed.
5. The case manager will also schedule a tentative eligibility staffing date/time with the parents. Written notice of this meeting needs to be given to the parent(s) at least 10 days in advance of the meeting date.
6. The SLP (case manager) will then conduct the evaluation.
7. After the evaluation, an eligibility staffing needs to be held in accordance with the selected date.
8. The case manager is responsible for completing the IEP paperwork if the child qualifies for services.

*See chapter 2, Initial Evaluation Paperwork Responsibilities for Preschool for more information.*

## **G. Referral for Initial Evaluation – K-12 Process**

Kansas has imposed several rules, regulations, and policies not required by federal regulations, one of which addresses referrals for initial evaluation and general education intervention requirements. According to the KSDE Special Education Process Handbook, “general education interventions **must be implemented prior to referring** a child for a special education evaluation, unless school personnel can demonstrate such interventions are inadequate to address the areas of concern for the child or a parent has consented to an evaluation and the school district agrees that an evaluation is appropriate”. (KSDE Special Education Process Handbook, page III)

### Staff Referral for Evaluation

The GEI team may refer students for a comprehensive evaluation based on one or more of the following:

- a) Interventions inadequately address the area(s) of concern indicated by multiple data points gathered over a period of time
- b) Successful interventions require an intense and sustained amount of resources; and/or
- c) Data indicates student may have an exceptionality and need for special education services

The timeline for the GEI process will depend on the area(s) of concern and nature of the interventions attempted. However, it is strongly recommended that GEI teams complete at least two rounds of intervention to demonstrate delayed progress in spite of intensive, targeted interventions addressing the hypothesized concern.

Referrals should not be made if the student’s academic or behavioral struggles are primarily due to other factors that have not been addressed:

- a) has not received appropriate instruction in the general education setting by a qualified educator
- b) has missed instruction due to frequent moves, high absences, and/or incarceration
- c) has limited English proficiency and has not been provided appropriate interventions

### Process for Referral for Initial Evaluation by Schools

- 1) To complete a referral, GEI forms should include all data and documentation collected throughout the intervention process, including the following:
  - a) Description of specific concern;
  - b) Parent contact dates;
  - c) Interventions implemented;
  - d) Staff responsible;
  - e) Timeline of process;
  - f) Data on intervention effectiveness;
  - g) Request for Comprehensive Evaluation

GEI teams must make GEI forms available to the School Psychologist for review.

- 2) Notify the Building School Psychologist, who will review referral documents to ensure all required components and data are included. **If referrals contain inadequate documentation of interventions** (e.g., with regard to length of time, lack of appropriately targeted interventions, lack

of fidelity of intervention implementation, etc.), the School Psychologist will return the referral with specific questions and recommendations.

- 3) The School Psychologist will process the referral and notify the principal or designee that the Consent to Evaluation for Initial Evaluation form is prepared.

\*For “Speech Only” (i.e. only concerns are articulation, voice, and/or fluency) cases, the referral will be sent to the Building Speech and Language Pathologist. All other areas must be reviewed and ruled out as possible areas of need prior to submitting a referral for a “speech only” evaluation.

- 4) The School Psychologist is responsible for providing Parent Rights (Procedural Safeguards in Special Education) to the parent prior to requesting informed parental consent. The School Psychologist should note the date parents were given the Parent Rights information on the consent form.

Informed consent, as defined in the federal regulations, states the school district has achieved informed consent if:

- a) The parent has been fully informed in their native language or other mode of communication, of all information about the action for which they are giving consent.
- b) The parent understands and has agreed in writing to that action
- c) The parent(s) understands that the consent is voluntary on their part and they know they may withdraw their consent at any time.
- d) The evaluation timeline (60 school days) begins the date the signed consent form is received by the school. The school psychologist records the date consent was secured and by whom on the consent form. The original document is sent to the MIS clerk at the CCSEC Office, who will file it.

## **H. Parent Request for Initial Evaluation and Procedure for Responding**

When a parent requests an evaluation, the school must provide a written response (PWN) within no more than **15 school days**. Written requests received by staff members should be dated and delivered to the principal or principal designee. If requests are verbal, staff should encourage parents to place the request in writing for documentation; however, oral requests are treated in the same manner as written requests.

Upon receiving a request

\*The principal or designee should also explain that a general education intervention process generally precedes an initial evaluation, and this process is available to their student. Explanations should clarify that under state eligibility guidelines, a need for special education services is difficult to justify without data and evidence from general education interventions.

Schools must then determine whether the initial evaluation is warranted. Staff (typically the GEI Team, related service provider, or the school psychologist) must gather and review grades, attendance records, existing test data, behavioral observations and records, classroom performance data, parent reports, etc. when considering the parent’s request. If the parent provides any written information from an outside agency (e.g. a letter from a medical doctor or diagnostic report from a psychologist), this should be reviewed as well.

There are only two options when considering the parent’s request:

- I. The GEI Team determines an evaluation is warranted and agrees to conduct an evaluation:
  - 1) Principal and/or school psychologist contacts the parent
  - 2) The GEI team will complete a referral and notify the School Psychologist so that a consent to evaluate form can be created
  - 3) General education interventions must be conducted concurrently with the evaluation

- 4) Consent form and Parental Rights are provided to the parent within 15 school days of the request
- II. The GEI Team determines an evaluation is not warranted and refuses to conduct an evaluation:
- 1) Principal and/or school psychologist contacts the parent
  - 2) Parents are provided two documents:
    - a) Prior Written Notice (PWN) of refusal to evaluate, delineating the reasons for the refusal
    - b) A copy of Parental Rights
    - \*Parental consent is not required on the PWN
    - \*A copy of the PWN is turned in to the MIS Clerk located in the CCSEC Office, who will create a folder for the special education file as record of the refusal
  - 3) The GEI team should consider whether general education support, such as the GEI process or a Section 504 Accommodation Plan, is needed and proceed with the appropriate option.

**\*If the parent is only requesting a speech evaluation, the principal, SLP and possibly school psych should be notified. The designee may be the SLP. The SLP will gather information to determine if an evaluation is warranted and ensure there are no additional concerns beyond speech. The SLP will be responsible for providing the parent with the PWN stating whether the school is accepting or denying the parent request.**

## **II. Initial Evaluation and Eligibility**

### **A. Definition of Parent**

#### Who Can Act as a Parent?

The following individuals are defined by Kansas law as “parents,” and have a right to receive notice, give or revoke consent, file formal complaints, request mediation, file for a due process hearing, give or deny permission for release of records, etc.

- a) a natural (biological) parent,
- b) an adoptive parent,
- c) a legal guardian,
- d) an officially appointed education advocate,
- e) a foster parent who has been appointed the education advocate, or
- f) a person acting as a parent
  - a. A grandparent, stepparent, or other relative with whom a child lives
  - b. A person other than a parent or relative who is legally responsible for the welfare of a child (K.S.A. 72-962(m); 34 C.F.R. 300.30), which should be documented with a court order.

If there is more than one party qualified to act as a parent, and the biological or adoptive parents attempt to act as the parent, the biological or adoptive parents must be presumed to be the legal decision-makers, unless they do not have legal authority to make education decisions for the child. If a judge decrees or orders a person acting as a parent or legal guardian to make educational decisions for the child, the school shall recognize this person as the legal decision maker. (K.A.R. 91-40-27(c); 34 C.F.R. 300.30(b) (1) (2)) Any officially appointed advocate or legal decision maker should provide documentation to the team showing they can act as the parent. A copy should be provided to MIS in order to attach to the IEP record. IEP teams can contact Families Together directly for a copy of the letter appointing an educational advocate.

*Reference KSDE Special Education Process Handbook, Chapter 1.*

#### Divorced or Separated Households

“If parents are divorced, regardless of which parent has primary custody, the school must provide Prior Written Notice of any special education action to both parents. This applies even if only one parent has the right to consent, unless a court order precludes such communication. If the school is only aware of one parent’s address, they must make reasonable efforts to locate the other parent in order to provide notice.

Consent from one parent is sufficient. In the event the school receives consent forms from both parents, with one providing consent and the other denying consent, the school is deemed to have received consent and must therefore fulfill its obligation to provide FAPE. The parent who denies consent has the right to request mediation or file for due process.” (KSDE Special Education Process Handbook, chapter 1, FAQ 3.)

### **B. Procedures to Obtain Parent Consent**

#### Timeline to Obtain Consent

Consent should ideally be secured within 10 school days from the time the consent form has been prepared and provided to the school. The school must make reasonable attempts to obtain consent from parents. Documentation of attempted contacts should include detailed records of methods and results, such as, dates and times of telephone calls made or attempted, copies of written correspondence sent to the parents, visits made to the parent’s home or place of employment, and records of any parent responses. (K.A.R. 91-40-27(g); K.A.R. 91-40-17(e)(2); 34 C.F.R. 300.322(d)(1))

If a parent fails to respond after 15 school days from the first contact attempt— despite *more than reasonable* attempts from the staff to obtain consent— the school may discontinue their attempts. Coffey County Special Education Cooperative requires staff to make attempts beyond the minimum required by the state (e.g., two times, two ways) before discontinuing attempts to obtain consent. After 15 school days with no response, a letter will be sent to the parent, informing them the school interprets their failure to respond as a refusal to provide consent. All attempts to contact the parent must be documented on the consent form and turned into the MIS Clerk with a copy of the letter. Sample letter may be found in appendix.

The Director of Special Education or Special Education Coordinator will monitor consent timeliness.

#### Parent Refusal to Sign Consent for Evaluation (Public School Placement)

If the parent of a child enrolled (or seeking to be enrolled) in a public school refuses to provide consent or fails to respond to requests to provide consent, the school may pursue the initial evaluation of the child by using procedural safeguards available under special education laws and regulations, including mediation or due process. If the parent refuses or does not respond, the school does not violate its obligation to provide a free and appropriate public education to the child if it declines to pursue the evaluation. (K.A.R. 91-40-27(a), (f) (3); 34 C.F.R. 300.300(a))

#### Parent Refusal to Sign Consent for Evaluation (Home Schooled or Parochial School Placement)

If the parent of a child home schooled or enrolled in parochial school at their own expense refuses to provide consent or fails to respond to requests to provide consent, the school may not use mediation or due process procedure to obtain consent. (K.A.R. 91-40-27(f) (2); 34 C.F.R. 300.300(d) (4)) The school has met its obligation for child find if the parent fails to respond or refuses to give consent to requests for an initial evaluation, reevaluation, or the initial provision of special education services.

If a parent or team member does not sign quickly, the school psychologist should follow up by calling the parent and resending the documents until they are signed. Signatures should be obtained and submitted to MIS within 10 school days.

### **C. Initial Evaluation Procedures**

Special education evaluations of children in Coffey County Schools shall be multi-disciplinary and multi-sourced in order to provide a comprehensive understanding of the student from the perspective of the home, school, and community. All evaluation procedures shall be nondiscriminatory, in compliance with state and federal laws, and conducted in accordance with procedures described in K.A.R. 91-40-0. The intent of an evaluation is to determine whether a student is exceptional and to identify individual educational needs.

The school psychologist or speech-language pathologist is responsible for coordinating the evaluation process.

In order to determine whether the student has a disability/exceptionality and/or demonstrates a need for specialized instruction, the following requirements must be met:

1. The evaluation team must:
  - a. Address all areas of concern related to the suspected exceptionality and referring question(s)
  - b. Gather data from the following five sources:
    - i. General education intervention results and the child's response to research-based

- interventions
- ii. Records review, including:
  1. Relevant evaluations and information provided by the parent
  2. Current classroom-based, local, or state assessments
- iii. Classroom-based observations by a related service provider
- iv. Interview with the parent
  1. Historical and environmental factors should be considered as contributors to a student's current academic and social progress, and medical data may be gathered for the special education record with the parent's release of such information
    - a. Social workers may be involved with any special education evaluation, and when appropriate, special education social workers may conduct developmental interviews with parents
- v. Standardized tests and assessments
- c. Collect relevant functional and developmental information to help the student access and progress in the general education curriculum
  - i. Including staff observations
- d. Select and administer appropriate standardized testing using evaluators trained and familiar with the specific testing procedures and test biases
  - i. Evaluation teams must use statistically reliable and valid assessment tools administered and interpreted by licensed professionals
  - ii. Documentation from test publishers regarding validity and reliability are reviewed regularly, and are available upon request
- e. Assess students in their native language or mode of communication most likely to yield accurate information regarding the child's academic, developmental, and functional capabilities, unless such testing is not feasible to administer
- f. Select evaluation approaches, tools, and instruments based on the characteristics of the student. Selection must minimize racial and cultural biases, focus on the evaluation concern(s), and be valid for the purposes selected
- g. Consider exclusionary factors

The school psychologist or speech-language pathologist is responsible for the coordination and completion of the evaluation report; however, each participating related services provider will write pertinent information they have gathered regarding the student's current performance, strengths, and needs in the Evaluation Report. The parent's input must be gathered prior to and during the eligibility meeting.

#### Timeline for Initial Evaluation: Sixty School Days

Per state regulations, the school has 60 school days to complete the entire evaluation process, which includes the eligibility meeting and, if appropriate, development and implementation of the student's IEP. The evaluation must be completed and the eligibility staffing held within 60 school days from the date signed consent is received by the school. If a team goes over 60 school days, but has the evaluation and IEP implemented within the 60 school days, no additional written documentation is needed. If the team requires additional time beyond the 60 school days, the school psychologist or speech-language pathologist must document the reason and obtain written parental consent to extend the evaluation within an explicitly stated amount of time. Documentation for the requested extension must be provided with the IEP paperwork to the MIS clerk at the CCSEC Office. The extension should be documented on the initial consent form and must be signed by the parent prior to the 60 school day deadline. There are only three specific instances where extension of the 60-day timeline may be justified:

1. Parents fail repeatedly to produce the child;
2. The child enrolls in a new district after an evaluation has begun; or

3. Parent consents in writing to an extension stating when the evaluation will be completed by (KSDE Special Education Process Handbook, Chapter 3).

If the student is found eligible for special education services, an IEP must be written. The IEP must be implemented within 10 school days after parent consent for the IEP is granted. When possible, the IEP team should consist of the same persons who participated in the evaluation team. An IEP case manager will be assigned by the building consulting teacher or departmental chair, and this person is responsible for coordinating the IEP.

Spring evaluations: By state statute, an IEP must be developed within 30 calendar days from the eligibility determination; thus, when evaluations are completed towards the end of the school year, evaluators should be in contact with their coordinators and the IEP team(s) regarding the eligibility determination and development of the IEP, if necessary.

### Comprehensive Evaluation for Autism

A special education comprehensive evaluation for Educational Autism will include a school psychologist, a school social worker, a speech language pathologist, and an occupational therapist. If there is a current diagnosis of autism, relevant medical records should be solicited with an appropriate release of information. A diagnosis is not required to determine eligibility under the Educational Autism category.

The evaluation team should offer resources and help to family members who request information about obtaining a medical diagnosis. Such assistance will help families access appropriate community resources. District Autism Specialists may be invited to eligibility meetings in order to suggest information relevant to potential IEP programming. In addition, there is a district autism team that can provide consultation to evaluation and IEP teams as needed.

### Students with Speech IEP and additional concerns not related to the disability

If a student has a speech IEP and the team determines there are additional concerns not related to the disability, the SLP or classroom teacher will refer the student to GEI. The student will go through the GEI process. If the student is not making progress, the team can make a referral. While this case is technically a re-evaluation, the procedures for an initial evaluation will be followed. The team will want to consider the annual speech IEP date and try to have the new evaluation completed prior to the annual speech IEP if possible. If not possible, the speech IEP will need to be held, then a re-evaluation meeting would be held and the team would possibly write a new IEP at that time to address the new concerns. If the additional concerns are brought up and a re-evaluation is due within a few months, the team can run GEI concurrently with the comprehensive re-evaluation in order to have it completed by the due date. If a re-evaluation is due and there is not adequate time to complete the comprehensive re-evaluation, the SLP will continue with the re-evaluation and IEP while the child receives interventions to address with additional concerns on GEI. The SLP will document the additional concerns in the IEP and how they are being addressed. If the concerns are related to the speech disability, then the IEP team should address the need without going through GEI.

### Evaluating Students from Culturally and Linguistically Diverse Backgrounds

Interpreters are available to interpret at special education meetings and can be requested by completing a "Request for Interpreting Services" form and submitting it to the social work department secretary. Bilingual social workers are available to conduct developmental interviews with Spanish-speaking parents. Teams should utilize these professionals and not classified staff in the building to ensure the interpreter has the language necessary to interpret special education meetings. Interpreters employed to work with deaf students are available for parents who communicate in American Sign Language.

Eligibility meeting agendas and worksheets are available to Spanish-speaking parents. Parent Rights

(Procedural Safeguards) in Spanish are available, along with all Special Education forms in WebKIDSS by clicking the translate button.

In the rare case where native language assessments and materials are unavailable, language-free or non-verbal measures will be used to determine eligibility for special services. Parent Rights and Prior Written Notice must legally be provided in the parent's native language.

#### Consideration for the Developmentally Delayed Label

In the Topeka Public School District, the Developmentally Delayed (DD) label is only available to students identified prior to kindergarten. Evaluation teams may contact a committee to discuss the application of the DD label for students in primary elementary grades when the team believes DD would be the most appropriate eligibility category. A committee composed of the Preschool Coordinator, Speech-Language Coordinator, School Psychologist Coordinator, and/or Social Work Coordinator will review the request and make recommendations to the school team.

#### Procedure for Conducting Evaluations Initiated in a Different School District

When a student transfers into the Topeka Public School District during an initial evaluation, the school psychologist and transfer-in staff will coordinate with the child's prior and subsequent school(s) to ensure prompt completion of the entire evaluation. The 60 school-day timeline may only be extended if the new school is making sufficient progress to ensure prompt completion of the evaluation, and if the parent and new school agree to a specific time when the evaluation will be completed. Recommended practice would secure an extension on the original consent form, with parent consent and the date that the extended evaluation will be completed.

Once the school psychologist becomes aware of an open evaluation, they should inform the Administrative Assistant to the School Psychology department in order to track the evaluation. The Administrative Assistant will create a folder.

### **D. Initial Evaluation Feedback Meeting & Eligibility Staffing**

The school psychologist or speech-language pathologist will schedule, coordinate, and chair the eligibility meeting. This person must also ensure all necessary forms and reports (see below) are completed and signed, and that the parent is provided a copy of Parental Rights, in addition to the Evaluation Report and PWN.

To review evaluation results and determine whether the student is eligible for special education, the eligibility staffing includes parent(s) or guardian(s), classroom teacher, special education teacher, related service provider(s) involved in the evaluation process, and an LEA. Meetings must be scheduled when the parent(s) and other team members are able to attend.

If the student is found eligible, the team may choose to write the IEP concurrently with the eligibility staffing or to reconvene after 10-days' written notice. If the IEP is scheduled for a later date, the coordination of and written notice for the meeting will be the IEP case manager's responsibility.

#### Notice of Eligibility Meeting

Parents must be given at least 10 calendar days' advance written notice via the Notice of Meeting Form. The evaluation coordinator will notify the parent(s) and team members of the date, time, location, participants, and meeting purpose. Parents may waive their right to a 10-day notice by notation and signature on the Notice of Meeting Form. If the parent responds and requests a different date and time, the school should make every attempt to accommodate their request.

The notice must be written in language understandable to the general public and provided in the native language (or other mode of communication) used by the parent, unless it is clearly not feasible to do so. If the primary language or communication used by the parent is not a written language, the school must ensure the notice is translated orally in his or her native language or other mode of communication. Schools must take steps to ensure the parent understands the content of the notice, and provide written evidence of these efforts. (K.A.R. 91-40-26(b)(b); 34 C.F.R. 300. 503(c))

#### Eligibility Determination and Documentation (with IEP meeting, if applicable)

The evaluation team will make a determination of eligibility based on Kansas State Department of Education (KSDE).. Teams must consider existing data, input from parents, observations, and assessment information completed as part of the evaluation. In order for the child to be eligible for special education, the team must determine (a) the child meets criteria for one of the disability categories or intellectual giftedness as stipulated by district definitions, and (b) the child has a need for special education and/or related services. Disability and exceptionality definitions are included in the Appendix.

If a student's eligibility and need are established, an IEP will be developed. While designing a student's individualized education program, teams must consider how instruction and services may capitalize on the student's relative and/or normative strengths, as well as how to remediate and/or accommodate skills and ability deficits. All IEP paperwork, 10-day notice of meeting, signature pages for the IEP meeting attendance, staffing notes and consent for placement, are the responsibility of the case manager. Original IEP documents are submitted to the MIS Clerk within 10 school days of the meeting, and copies should be provided to the parent(s).

If the student is not eligible for special education services, he or she may be referred for a 504 evaluation or returned to the GEI process.

If a student is eligible for special education services and the parent disagrees with the eligibility recommendations, an IEP still must be created and presented for parents to either accept or deny services.

### **E. Initial Evaluation Paperwork Responsibilities – Preschool**

Staff members responsible for submitting original paperwork (as delineated below) must also ensure parents are provided copies. Copies of the Evaluation Report and/or IEP may be provided to the child's teacher.

#### The Student Qualifies for Special Education Services

The school psychologist or speech-language pathologist must submit the following *original* paperwork to the MIS Clerk at the CCSEC Office within 10 school days:

1. Initial Evaluation Consent Form
2. Evaluation Report
3. Prior Written Notice\*
4. Notice of Meeting\*
5. Staffing Notes

When the IEP is written, the case manager must submit the following *original* paperwork to the MIS Clerk at the CCSEC Office within 10 school days.

1. IEP
2. Prior Written Notice
3. Notice of Meeting

4. Consent for Medicaid Reimbursement
5. Staffing Notes

\*If the initial evaluation and IEP meetings are held concurrently, the case manager is responsible for submission of the Prior Written Notice and Notice of Meeting; however, the school psychologist and speech-language pathologist must ensure copies are placed in the student's psych and/or speech file(s).

#### The Student Does Not Qualify for Special Education Services

If the child does not meet both prongs of eligibility criteria, the school psychologist or speech-language pathologist must submit the following *original* paperwork to the MIS Clerk at the CCSEC Office

1. Consent for Initial Evaluation
2. Notice of Meeting
3. Evaluation Report
4. Prior Written Notice
5. Staffing Notes

#### **F. Initial Evaluation Paperwork Responsibilities – Kindergarten through 12th Grades**

Original eligibility paperwork must be submitted to the MIS Clerk at the CCSEC Office within 10 school days of the eligibility staffing. Copies of all paperwork will be provided to the parent and placed in the psychoeducational and/or speech-language file. The staff member coordinating the evaluation must file or upload all documents to WebKIDSS.

#### If the Student Qualifies for Special Education Services

The school psychologist or speech-language pathologist will complete the following:

1. Evaluation/Reevaluation Report
2. Prior Written Notice (PWN)\*
  - a. If the IEP is held in tandem with the eligibility, the PWN is the responsibility of the case manager; however, the school psychologist should collaborate in this process to include all relevant information, including all eligibility categories considered
3. Notice of Meeting\*
4. Dates/Ed Status Page (IEP Forms)
  - a. Enter "Consent Received Date"
  - b. Enter "Initial Evaluation Date"
5. Demographics Page (IEP Forms)
  - a. Select "Exceptionality"
6. Consent for Medicaid Reimbursement
7. Staffing Notes

\*If the initial evaluation and IEP meetings are held concurrently, the case manager is responsible for submission of the *original* Prior Written Notice and Notice of Meeting documents to the MIS Clerk at the CCSEC Office; however, the school psychologist and speech-language pathologist must ensure copies are placed in the student's psych and/or speech file(s).

#### The Student Does Not Qualify for Special Education Services

If the student is not eligible for special education services, the school psychologist or speech-language pathologist will complete the following:

1. Evaluation/Reevaluation Report
2. Prior Written Notice (PWN)
  - a. The PWN will state the school's refusal to find the student eligible for special education,

- including options considered and the reasons for refusal
- b. Parent signature of consent is not required, as the child is not eligible
- 3. Notice of Meeting
- 4. IEP Start-Up Page (IEP Forms)
  - a. Select “Not Placed” under No IEP Status in Webkidss, enter “Not Placed Date,” and indicate “Reason Not Placed”
- 5. Turn in the Initial Evaluation report to the MIS Clerk. If signatures were acquired on the NOM and/or PWN, turn those forms into the MIS Clerk also.
- 6. Staffing Notes

The MIS clerks will scan and upload the signature pages, and then file the Evaluation Report in the psych file.

### **G. Independent Educational Evaluations (IEEs)**

Parents of children eligible for services under the Individuals with Disabilities Education Act (IDEA, at 20 U.S.C.A. §1401, et seq.) are entitled to an Independent Educational Evaluation (IEE) of their child if the parent disagrees with an evaluation obtained or conducted by CCSEC Staff (34 C.F.R. §300.502). An IEE is defined as an evaluation conducted by a qualified examiner who is not employed by CCSEC or responsible for the education of the child in question (34 C.F.R. §300.502(a)(3)(i)).

Parents may obtain an IEE at public expense (i.e., the expense of Coffey County Special Education Cooperative) or at their own expense, depending upon their disagreement with an existing evaluation completed by Topeka Public Schools. If Coffey County Special Education Cooperative has not performed its own evaluation in a particular area of disability, the parent does *not* have a right to an IEE in that area until CCSEC performs an assessment in that disability area.

Only one IEE may be funded for each evaluation completed by CCSEC. Additionally, parents may be asked to explain what areas of the school’s assessment they disagree with, but the parents are not required to answer as a precondition to the district’s funding of the IEE.

To request an IEE, please review the criteria below and contact the Director of Special Education in writing. The request should state the following:

- a. Specific evaluation requested;
- b. Specific educational purpose of the evaluation;
- c. Signed release of information for CCSEC to share confidential results of the evaluation conducted by schools within the CCSEC with the independent evaluator;
- d. Signed release of information for the independent evaluator to share information with CCSEC.

#### Criteria for IEEs Conducted at Coffey County Special Education’s Expense

A reasonable time after the request for an IEE is received, CCSEC will provide the parent with a list of professionals who are qualified to perform the IEE and who otherwise meet the district’s criteria (below). Such a list is intended to help the parent obtain an IEE, but it will be noted that the list is not exhaustive, and the parent is not required to choose any of the listed professionals.

When an IEE is funded by CCSEC, the criteria under which the evaluation is obtained should be the same as the criteria the district uses when it initiates evaluations itself (C.F.R §300.502(e)). It is recommended the following criteria be applied to parent-requested IEEs performed at Coffey County Special Education’s expense:

- 1. Coffey County Special Education Cooperative will only pay a reasonably comparable rate for IEEs and reserves the right to establish maximum allowable charges for each approved IEE

2. The qualifications of the evaluator chosen to perform IEEs must comply with the qualifications and licenses required of evaluators employed or contracted by CCSEC for district-initiated evaluations in accordance with applicable federal regulations, state laws, and state regulations
3. CCSEC requires IEEs use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child— including information provided by the parent— that may help determine whether the child has a disability under IDEA and/or the content of the child’s IEP, including information related to enabling the child to be involved and progress in the general education curriculum (or for a preschool child to participate in appropriate activities)
4. Because CCSEC reviews existing evaluation data as part of its evaluation process, IEEs will also be expected to review existing evaluation data as part of the independent evaluation process

The district will undertake arrangements for the IEE, including contracting with the evaluator, verifying compliance with criteria, and performing payment. Coffey County Special Education Cooperatives funding of an IEE may also include reasonable related costs (such as transportation costs at CCSEC’s rate), upon approval of CCSEC. If approved, payment for the IEE will be made directly to the independent evaluator, who must agree to provide an original typed report directly to CCSEC, with a copy provided to the parent. The report must contain original signatures, as well as the titles of all assessment personnel involved in the evaluation. CCSEC is not required to request parental consent for the independent evaluator to provide the evaluation report directly to CCSEC. The report must also comply with applicable requirements of state and Federal regulations with respect to evaluations (CCSEC will provide assistance with these matters, as necessary). Assessment protocols must be made available for CCSEC staff review, if requested. An agreement by an independent evaluator to perform an IEE obligates the evaluator to comply with these requirements, which shall be communicated to the evaluator prior to the IEE appointment date.

If CCSEC wishes to deny a request for a Coffey County Special Education Cooperative-funded IEE that otherwise meets CCSEC criteria, it must initiate a special education due process hearing within a reasonable time to show that the evaluation objected to by the parent is appropriate and meets the standards of the IDEA. If the final decision of the proceeding is that a CCSEC’s evaluation is appropriate, the parents still have a right to an IEE, but not at CCSEC’s expense. (34 C.F.R. §300.502(b)(2)(i) & (b)(3)).

An IEE, whether funded by the parents or CCSEC, must be considered by the IEP team in any decision made with respect to the provision of a free appropriate public education (FAPE) to the child, and may be presented as evidence at a special education due process hearing regarding that child (34 C.F.R. §300.502(c)(1)). The fact that an IEP team reviews and considers an IEE, however, does not automatically render CCSEC liable for the costs of such evaluation. If a special education hearing officer requests an IEE as part of a hearing, the evaluation must be funded by CCSEC (34 C.F.R. §300.502(d)).

#### **Process for Conducting an IEE**

1. After the Special Education Director has approved moving forward with an IEE, they will provide the parent with the list of qualified providers.
2. The parent will identify which providers they chose to complete the IEE and inform the Director of Special Education.
3. The Director of Special Education will notify the chosen providers and give them the student information and parent contact information.
4. After the IEE has been completed, the providers will send a copy of the report and bill for the evaluation to the Director of Special Education.

5. The Director of Special Education will send the reports out to the building team to review.
6. The building team will then provide a PWN to the parents stating they propose conducting a new evaluation based on the new information or they are denying a new re-evaluation if the IEE results are similar to the school's report and no changes to the evaluation or IEP are necessary.
7. If the team opens a new re-evaluation, they will follow the standard re-evaluation procedures.

### **III. Individualized Education Programs (IEPs)**

#### **A. Required IEP Team Members and Role Definition**

The following is summarized from the Kansas State Special Education Handbook, chapter 4. Required team members are designated with \*

IEP Team Membership:

The members of the IEP team are specifically identified and described in state and federal statutes and regulations. In addition to the following listed members of the IEP team, if parents need a sign language or foreign language interpreter, the school must provide that service (K.S.A. 72-3404(u); K.A.R. 91-40-17(d); 34 C.F.R. 300.322(e); 34 CRF 300.321).

(a) The student must be invited to attend the student's own IEP meeting beginning at age 14, or younger, if a purpose of the meeting is consideration of the student's postsecondary goals and the transition services needed to assist the student in reaching those goals. The school may invite the student to attend their own IEP team meeting at any age if appropriate, and the student should be included whenever appropriate.

\*(b) The parents (refer to chapter 2 of the KSDE Special Education Process Handbook for additional discussion)

\*(c) The special education teacher(s) or provider(s)

\*(d) The general education teacher(s)

\*(e) The School Representative or designee (LEA)

\*(f) A person who can interpret instructional implications of any evaluation or assessment results

(g) Others - individuals who have knowledge or special expertise regarding the child, including related services personnel, as appropriate, and those who are invited by the parents or the school to attend the IEP meeting.

(h) Representatives of any other agencies, with written consent, if they are likely to be responsible for providing or paying for transition services.

(i) Representative of Part C services for transition evaluations.

Individuals assuming more than one role at the IEP meeting should document each role on the signature page of the IEP. It should be noted that EVERY required role must be represented throughout the entire IEP meeting.

#### **Local Educational Agency Representative (LEA) Definition**

##### **LEA in a Public School Setting**

Federal Definition (34 CFR 300.321) of an LEA Representative:

The LEA Representative is a "representative of the public agency who:

- is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;
- is knowledgeable about the general education curriculum; and
- is knowledgeable about the availability of resources of the public agency. 34 CFR 300.321(a)(4)."

The LEA Representative (Principal or Principal Designee):

- must have the authority to commit school resources and
- be able to ensure that whatever services are described in an IEP will actually be provided because the school will be bound by the IEP that is developed at an IEP meeting. (Special Education Handbook, chapter 4)

If the team cannot reach an agreement on an eligibility decision, IEP decision or behavioral issue, the final decision rests with the LEA Representative. The LEA Representative and the IEP Team will then provide the parents with appropriate notice and request consent for the proposed action. It is not appropriate for an IEP team to make IEP decisions based upon a majority vote.

### **LEA in a Private School Setting**

The principal or principal designee serving the public school where the student is enrolled will act as the LEA representative. If the public school principal is not available, they will designate an LEA from the public school staff.

### **B. Conducting a special education meeting without a Parent (Initial Evaluation, Re-evaluation Meeting or IEP Team Meeting)**

CCSEC staff may conduct an Initial Evaluation, Reevaluation, or IEP meeting without the parent(s) in attendance if the school, despite repeated attempts, has been unable to contact the parent(s) to arrange for a mutually agreed upon time or to convince the parents that they should participate. (K.A.R. 91-40-17(e)(1); 34 C.F.R. 300.322(d)) The school must keep a record of its attempts to arrange a mutually agreed upon time and place to secure the parents' participation. The record shall include at least the following:

- Detailed records of telephone calls made or attempted, including the date, time, person making the calls, and the results of those calls;
- Detailed records of visits made to the parents' home or place of employment, including the date, time, person making the visit, and the results of the visits;
- Copies of correspondence sent to the parents and any responses received; and
- Detailed records of any other method attempted to contact the parents and the results of that attempt. (K.A.R. 91-40-17(e) (2))

If school attempts and documents at least two attempts to involve parents using two different methods (on two different days), the team may conduct a meeting without parents. One notice must use the official 10-day written notice form, with all required information. If the parent responds and requests a different date and time, the school should make every attempt to accommodate their request. Thus, it is critical that schools start early to schedule IEP review to ensure compliance with IEP team meetings before or on the annual review date.

It should be noted that although parent consent is not required for identification of a child with an exceptionality, written consent is required to initiate services in special education. Additionally, in CCSEC schools parent consent is also required for any proposed change that constitutes more than a 24% change to a service or setting.

### **C. Transfer-In Procedures for IEPs from Other Districts**

Upon enrollment, schools must provide Free and Appropriate Public Education (FAPE) to a student with an IEP, including services comparable to those described in the student's IEP from the previous school district. Comparable services are those similar to or equivalent to services from the transfer-in IEP, determined by the district in consultation with parent. The provision of special education and related services should not be withheld pending the receipt of records when the school knows the child has been identified as a child with an exceptionality and the child has an IEP. For more information about transfer-in both within and outside of the state, please see the KSDE Process Handbook, chapter 4.

#### **Transfer-In process responsibilities:**

1. Requesting records from and consulting with staff at student's previous district(s)
2. Providing Transfer-In Paperwork and consultation to school team
3. Entering Transfer information into WebKidss
4. Submitting paperwork to MIS Clerk

#### **Starting the Transfer-In process on WebKIDSS:**

- If the student is transferring from a district within the state that uses WebKIDSS, a request for FTP (electronic transfer of files) will need to be made to their MIS Clerk
- If the student's previous district does not use WebKIDSS, a new student and IEP file will need to be created in WebKIDSS

#### **Within WebKIDSS, complete the following pages:**

- Demographic Screen
- Dates/Ed Status (the initiation date will be the date services begin in the CCSEC School)
- Transition assessment, if completed
- District Assessment
- State Assessment
- Goals
- Accommodations
- Modifications
- Supplementary Aids and Services
- Anticipated Services Chart
- Additional Comments

#### **For Transfer-in IEPs that are lapsed, or due within a few weeks of student transfer to a CCSEC school, the following process should be utilized:**

1. In these cases, the IEP team may not have ten days to set a meeting with appropriate notice for the purpose to review IEP before the review date is due. The case manager should contact legal educational decision maker to let them know the annual review is due/past due and give them the option to waive the ten-day notice in order to meet with the team as soon as possible.

2. The case manager will use the incoming transfer-in IEP as the basis for the new IEP and provide a comparable set of services. The case manager would be responsible for present levels (based on transfer-in IEP), considering new/updated goals if appropriate, updating service lines to reflect the appropriate service at the new building, and writing the PWN to ensure it reflects current proposed services.
3. If the IEP team plans to review IEP after having an opportunity to work with the student and collect new data, the case manager should discuss potential dates to meet and review, rewrite and/or amend the IEP when the team has gathered new information to further inform PLAFF and goals, etc.
4. If reevaluation is due or past due, the case manager should work with building school psychologist.

#### **D. Record Requests from Other Districts**

##### **REQUEST FOR INFORMATION AND RECORDS**

ALL REQUESTS FOR INFORMATION FROM OUTSIDE AGENCIES ARE FILTERED THROUGH THE MIS CLERK. PLEASE CONTACT THE INDIVIDUAL BELOW WITH YOUR REQUEST:

WHITNIE DOCMAN  
301 NEOSHO  
BURLINGTON, Ks 66839  
TELEPHONE: (620) 364-5151  
FAX: (620) 364-8548  
EMAIL: [WDOCMAN@USD244KS.ORG](mailto:WDOCMAN@USD244KS.ORG)

#### **E. Interim IEPs**

Interim IEP use is rare and may only be used for a student who has been determined eligible for special education services, but transfers-in with an unusable IEP. An interim may also be considered if the team or parent believe the current transfer-in IEP is not appropriate and new information is needed before a final decision may be made regarding services. Interim IEPs must meet all the same requirements as any IEP. Essentially, the team develops an IEP for a shorter than normal period to allow additional time for locating full records, and/or to conduct new assessments needed to develop a new IEP via a comprehensive evaluation. If the student is from another country and has not been identified under IDEA procedures, but team believes student requires special education services, the school would request consent to conduct an initial evaluation. Reminder-the provision of special education and related services may not be withheld because a school does not have records when the school has knowledge that the child has an exceptionality and IEP. An interim IEP may not be in place for more than 30 school days. All legal and district procedures and paperwork requirements apply.

#### **F. Related Services - Consultation, Screening and/or Adding Service to IEP**

**Involvement of Related Service providers for students with existing IEPs**

When an IEP team is requesting consultation, screening, or is considering adding a related service (RS), the team must first consult with the Related Service provider.

#### Consultation

Consultation with a Related Service provider should be requested by email. The intent of consultation is to inform and guide intervention and strategy implementation. It is suggested that any recommendations provided by the Related Service provider be documented in case notes and uploaded to WebKIDSS.

#### Screening

A request for screening should be submitted through email. The intent of screening is to inform and guide interventions and strategy implementation. Screening in and of itself should not be used to inform special education decisions, nor to determine whether to move forward with a special education action. A reevaluation is required in most cases to add a related service to a student's IEP if adequate data and evidence of need exists. However, if the related service provider requests to conduct an evaluation of a student, then a re-evaluation process is triggered and the building psychologist must be involved in the reevaluation process. It is suggested that any screening recommendations provided by the Related Service provider be documented in case notes and uploaded to WebKIDSS IEP.

#### Consideration of Adding a Related Service to IEP

If IEP team believes that a student may demonstrate a need for a related service, the team must first consult with the Related Service provider. Related Service providers will consult with their department coordinators whenever an IEP team is considering adding a related service to a student's IEP. These consultations must occur prior to any special education action.

#### **OPTION A: Request for consult or screening to develop recommendation for intervention or strategies**

1. Team (via case manager, psych, social worker, counselor) asks Related Service provider for consult/screening in writing (via email).
2. Related Service provider provides consultation or screening
3. Related Service provider gives written feedback. MIS Clerk uploads feedback notes to WebKIDSS. *If further action is needed, can move to OPTION B or C.*

#### **OPTION B: Adding service outside of evaluation (including in preparation for Annual IEP)**

1. Team (via case manager) asks Related Service provider to add service
2. Related Service provider consults coordinator
3. Coordinator approves addition of service outside of evaluation *OR requests evaluation based on lack of data, see OPTION C*
4. Related Service Provider adds service to IEP (Can add through IEP meeting or through amendment process, with coordinator approval as noted above)

#### **OPTION C: Adding related service to evaluation process**

1. Team (via psychologist/social worker) is considering adding related service to evaluation process and consults with the appropriate provider. If consensus, the related service provider is added to the consent.
2. If the team determines the need after the original consent obtained, Psychologist requests related service involvement in writing as outlined above (for example, for social work, psychologist would refer to SW coordinator via google form), and original consent must be amended and signed/dated by parent.
3. Related service provider is notified of evaluation assignment (for SW, coordinator notifies)
4. Related service provider completes evaluation and provides information to psychologist/team
5. Services added (if appropriate) to new IEP (or may be added through amendment if no new IEP is written), and related service assessment information is added to evaluation report.

## **G. Discontinuing a Related Service**

### **Procedure for Terminating/Dismissing a Related Service at the IEP Meeting**

Discontinuing a related service does not require a reevaluation or an IEP. Please note that a related service is a Related Service ONLY when it is NOT listed as a secondary exceptionality on the IEP.

When terminating a related service at the time of the IEP the following actions are required:

1. A new IEP is written.
2. The IEP meeting is conducted and the new IEP is completed by the case manager.
3. Complete the PWN as you would for any Annual IEP.
4. Check Material Change in Services (for terminating a service) and complete all required information.
5. List the service(s) to be discontinued and explain why the service is being dropped, as well as any other changes to the IEP.
6. Secure parent signature for consent on PWN.
7. Turn in all original paperwork. MIS clerk reviews the adjustment to the IEP after the paperwork is received from the case manager.

### **Procedure for Terminating/Dismissing a Related Service Outside a Full Team IEP Meeting**

When recommending terminating/dismissing a related service outside of a full team IEP meeting, the following actions are required:

1. Related service provider contacts IEP team members (via e-mail, phone, or in person) with the recommendation for related service dismissal. The IEP team is comprised of, at a minimum, LEA, case manager, general education teacher, related service provider, and parent.

This recommendation will be:

- a. Supported by current substantial data/evidence that suggests that the student is no longer in need of/requires a specific related service. Data would include the following types: parent and team input, informal assessment results, progress monitoring, goal data, and/or application of exit criteria information.
  - c. Parent input/parent feedback/response should be documented as well.
2. **\*\*If team members are not in agreement with proposed dismissal, please go to step 6.**

If team members, including parent, are in agreement with the proposed dismissal, the related service provider gathers any additional data (if appropriate/needed) and together with the PI, requests an amendment to be opened.

Together, the case manager and related service provider complete, the prior written notice and consent (PWN) form, and the amendment form. These forms are reviewed and signed by the parent and PI/case manager where indicated.

3. On the PWN, check "Material Change in Services" and complete all required information.
4. The service (s) to be discontinued will be listed on the PWN, along with an explanation of the basis of why the service (s) are being recommended to be dismissed. The information on PWN should match the description of the proposed action in the amendment.
5. Original (signed and dated) PWN, and Amendment, are submitted to  
MIS Clerk.
6. If team does not support the recommendation for related service dismissal at this time, the team meets to initiate discussion and develop clear exit criteria for student's related service dismissal.
7. MIS makes the adjustment to the IEP after the paperwork is received from the PI/case manager.

## **H. Behavior Intervention Plans (BIPs)**

### **Behavior Assessment and Behavior Intervention Plan Policies and Procedures**

"In the case of a child whose behavior impedes the child's learning or that of others, the IEP team must consider the use of positive behavioral interventions and supports, and other strategies, to address the behavior. The focus of behavioral interventions and supports in the IEP is prevention of the behavior, not just provision for consequences subsequent to the behavior."

Behavioral concerns may be addressed in three ways:

1. Positive behavioral interventions and supports implemented through the IEP annual goal(s);
2. Program modifications; and/or
3. Behavioral Intervention Plan (BIP).

"If a behavioral intervention plan is developed by the IEP team, it becomes part of the IEP and any changes to it would require a meeting of the IEP team to consider the proposed changes to the plan. If the BIP is developed by a building based problem solving team or other group of individuals other than the IEP team it does not have to be included in the IEP. Special education laws and regulations place a strong emphasis on supports and interventions, including positive behavior interventions and supports that are scientifically research-based."

"These strategies are designed to foster increased participation of children with exceptionalities in general education environments or other less restrictive environments, not to serve as a basis for placing children with exceptionalities in more restrictive settings." (From KSDE Special Education Process Handbook, Chapter 4.)

**Frequently Asked Question (FAQ)** - "If a child was found eligible for special education under emotional disturbance, must they have a behavioral goal or may they have only an academic goal? Measurable annual goals should never be dependent upon the child's label; they should always be related to the individual child's needs. Therefore, some ED students will need behavioral goals, but others may not." (KSDE Special Education Process Handbook).

## Functional Behavior Assessments

In order to adequately build a BIP, the IEP team should consider the function of the student's behavior. The form on Webkidss will start by determining what factors increase the behaviors and those that help decrease the behavior. This will guide the team to determine the function of the behavior. The form continues with the BIP to outline steps to prevent the behavior and what to do when the behavior occurs.

Filling out the FBA does not require a re-evaluation. A re-evaluation is required when the team is assessing the child in ALL areas related to the disability to determine: 1) whether the child continues to be a child with a disability and 2) to determine the nature and extent of the special education and related services program the child needs. (34 C.F.R 300.15). It is unlikely completing an FBA will meet all requirements to be considered a re-evaluation.

FBA and BIP forms are available on WebKIDSS.

### I. Homebound Services

The following steps should be followed in determining if Homebound Services (Temporary or Long-Term Services) are necessary for any particular student due to medical needs:

1. Special Education Students with an IEP:
  - a. Convene the IEP team.
  - b. Request and review medical documentation from medical professional and parents.
  - c. Construct an Accommodation Plan.

The questions any IEP Teams should be asking are, "What is necessary for the student to maintain academics while absent from school?" and "How is the student limited because of the disability or illness?"

The IEP Teams may consider the following as reasonable accommodations:

1. Classroom teacher providing assignments and checks in with student
2. Weekly communication with the classroom teacher via e-mail, telephone, written notes, etc.
3. Social Worker or Counselor intervention
4. Assistive Technology
5. Tutor visiting the home (classroom teacher, paraprofessional, or other certified staff member)
6. Other

If a tutor is needed, please be specific on the accommodation plan as to how often and for how long this will occur. Example: "Tutoring will be provided at the student's home for one hour, every other week, by the classroom teacher."

Certified teachers will be paid the per hour amount for curriculum pay under the terms of the professional agreement. Classified staff will be paid their hourly rate. The district will advise and lend support in providing this service should this occur. In order to fund the supports, the district's special education funding will be used. Please contact Lindsey Graf to access these funds. Services will be paid each pay period. Please adhere to these requirements when collecting time sheets.

All homebound plans will be sent to the Director of Special Education. The director will review and keep track of all district provided homebound services.

#### **J. Special Education Student Movement to Homeschooling and Ready to Serve Procedures**

A school team will take the following steps when the parent(s) of a special education student notifies the school orally or in writing that their child will be transferring to homeschool services:

1. Notify the parent(s) that they must register their homeschool with Kansas Department of Special Education (<http://www.ksde.org/Default.aspx?tabid=416>) and provide registration documentation to school officials.
2. The IEP Team should review the current IEP to see what special education services the school is willing to offer the student in the school setting.
3. If the IEP Team and the parent believe there are special education services that can be provided while the student is homeschooled, the student must remain enrolled in the Coffey County School and those services must be provided in the school setting.
4. Team will create a new IEP or an amendment that reflects the appropriate changes in minutes and services on the IEP. A PWN is required.
5. If the parent refuses those services, present a Ready, Willing and Able to Serve Letter signed by the principal or principal designee. Parents are required to ensure that students with disabilities have access to the special education services in the IEP.
6. Inform parent(s) that if they change their mind and want to access special education services for their student, they should contact the principal, the school psychologist, or the IEP case manager.
7. Copy the parent letter and place one copy in the special education folder and one in the IEP folder. School psychologist should note how the letter was delivered on the form or in their files.
8. Scan a copy of the Parent Letter and upload the letter as an attachment in WebKIDSS.
9. Notify the MIS Clerk in order for the student to be dropped in Webkidss.

#### **K. Ready, Willing and Able to Serve Letter**

##### **Procedure for Ready, Willing and Able to Serve Letter**

The Ready and Willing Letter should be used in the following circumstances:

- when parent(s) is not producing the child for special education services (e.g. numerous consecutive absences)
  - when parent(s) has decided to send the student to private school or homeschool and has not signed the child out of special education but does not want to access services in the district, or
  - when a student drops out of school without revoking consent
1. If the parent refuses services or does not produce student, present a Ready, Willing and Able to Serve Letter signed by the School Psychologist. School may ask a parent(s) to sign the letter to document that they received the letter; however, this is not required. Parents are required to ensure that students with disabilities have access to the special education services in the IEP and schools may choose to file truancy or require documentation of how those services are provided. See KSDE Special Education Process Handbook for further discussion.

2. Inform parent(s) that if they change their mind and want to access special education services for their student, they should contact the principal, the school psychologist, or the IEP case manager.
3. Copy the parent letter and place one copy in the special education folder.
5. The case manager or MIS Clerk ensures student is dropped in Webkidss.

**L. IEPs for Students attending Kansas School for the Deaf or Kansas State School for the**

**Blind**

Initial Evaluation

1. Student will enroll with CCSEC, if not already enrolled.
2. Evaluation Team will conduct comprehensive evaluation.
3. Student is found eligible for special education services, typically under the HI or VI category.
4. IEP team will contact Director of Special Education to determine if placement at KSD or KSSB is an option.
5. If approved, IEP team will coordinate with the outreach coordinator for writing the IEP.
6. Student will then be in Webkidss.
7. Copy of the IEP will be attached as a pdf in Webkidss.

\*All re-evaluations will be conducted by the KSD or KSSB staff. A representative from CCSEC staff or LEA will attend all annual IEP.

## **IV. Educational Placement and Least Restrictive Environment (LRE)**

### **A. LRE**

For children with disabilities, the special education and related services must be provided in the environment that is least restrictive, with the general education classroom as the initial consideration. The decision must be based on the child's needs, goals to be achieved, and the least restrictive environment for services to be provided. Least restrictive environment (LRE) means the child is provided special education and related services with peers who are not disabled, to the maximum extent appropriate (K.A.R. 91-40-1(II)). The group of persons determining placement must consider how the child with a disability can be educated with peers without disabilities to the maximum extent appropriate, and how he/she will participate with children without disabilities in other activities, such as extracurricular and nonacademic activities. (Excerpted from KSDE Special Education Process Handbook, Chapter 6). Because LRE and educational placement are critical considerations for IEP teams, the KSDE Special Education Process Handbook devotes an entire chapter (6) to these topics.

### **B. Behavior and Autism Team Consultation**

#### **Behavior Team Consultation Request Process**

The district behavior team is a resource for special education student concerns. Types of concerns appropriate for referral include severely disruptive, self-harming and/or physically aggressive students, or other concerns that require this level of specialized consultation.

1. The case manager will contact the building school psychologist to request a member of the district behavior team to observe a student.
2. The building school psychologist will contact a member of the district behavior team to observe the student.
3. The behavior team will schedule an observation of the student.
4. The observer will send written feedback from the observation with recommendations. The team may determine if a team meeting is necessary to review the recommendations.
5. If necessary, the district behavior team may request additional consultation from TASN. The Director of Special Education should be notified of the request.

Following the recommendations, implementation of the plan should be attempted with fidelity, for a minimum of three weeks. During this three-week trial, targeted data should be collected and graphed on the impact of the intervention to determine if the plan is/is not having the intended impact.

#### **Classroom Consultation**

Classroom consultation is available review and/or observe overall class-wide behavior needs, classroom management needs, and/or training needs. Documentation of recommendations and team discussion should be completed by one designated member of the team at each meeting. These case notes should be disseminated to all consultation participants with copies housed in a confidential and appropriate location.

## **Professional Development**

Training and professional development are available in the areas relevant to district, building, and staff needs.

### **C. Educational Placements**

The process of determining the least restrictive environment must be individualized for each student with a disability. Districts are obligated to make available a range of placement options, via a continuum of placements, to meet the unique educational needs of students with disabilities. In CCSEC schools, these options include general education classes and special classes. Placement is not determined by the name of a building, rather it is the “place on the continuum of service environments.” Placement is not the same as location. Placement refers to the environmental points along the continuum of placement options, while location is the physical surrounding, such as the classroom or building. Because educational placement and the least restrictive environment are so critical to special education, the KSDE Special Education Process Handbook devotes an entire chapter (6) to these topics.

Placement and LRE requirements are the same for preschool children as they are for school age, and these requirements must be carefully considered annually. Although the concept of LRE and the continuum of services do not apply to children who are gifted, the individual placement decision must still be made according to the unique needs of the child and to ensure the child will receive FAPE.

The district is also responsible for those district students with IEPs, while they attend sites such as in jail.

## V. Reevaluation Process

### A. Purpose of the Reevaluation

Reevaluations are required at least every three years, unless the parent and the school agree that a reevaluation is unnecessary, to determine the following:

1. Whether the child continues to be a child with an exceptionality;
2. The education needs of the child;
3. The present levels of academic achievement and functional performance (related developmental needs) of the child;
4. Whether the child continues to need special education and related services; and
5. Whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP of the child and to participate, as appropriate, in the general education curriculum.

Information gathered during a reevaluation provides valuable information about the child's progress and needs. Reevaluation data may indicate the student is no longer eligible for special education because he or she (a) no longer meets disability category criteria, and/or (b) no longer demonstrates a need for special education services. Students who no longer qualify for special education services may be referred for a 504 evaluation or for a GEI plan. In addition to using the information to determine whether the child continues to be eligible for special education and related services, this information should be used to review the IEP, revising it as necessary, in accordance with K.S.A. 72-986(h)-(l).

Reevaluations *are* necessary to change a student's eligibility category or to discontinue special education services (see Chapter VI). Reevaluations are *not* required when adding or dropping a related service (see Chapter III).

### B. Reevaluation Planning

School psychologists or speech-language pathologists are responsible for coordinating reevaluation efforts and ensuring reevaluations are completed prior to the reevaluation due date. When possible, it is recommended the re-evaluation be moved up in order to be held in conjunction with the annual IEP. Coordinators must involve all team members, including related service providers and parents, in the reevaluation process.

Preschool reevaluations are assigned to specific building school psychologists.

The IEP team must review existing data to determine whether additional information is needed to inform the child's IEP programming. Formal meetings are not required to review student's needs and determine reevaluation objectives. Every reevaluation should be approached and designed individually based on the specific concerns of the child. The reevaluation team must consider all existing data including evaluations and information provided by the parents; current classroom-based, local or state assessments; classroom-based observations; and the child's response to scientifically, research-based interventions (i.e., progress towards IEP goals). After the team has reviewed the existing data, determine what new data should be collected during the evaluation. The school district must assess the child in all areas of concern, and the reevaluation team must utilize a variety of assessment tools and strategies to gather relevant functional and

developmental information. The type of data and procedures to be used to collect the data should be described on the Prior Written Notice for the reevaluation and provided to the parents for their consent.

If a team review indicates concerns beyond those already identified and addressed in the student's educational programming, the reevaluation team must consult with the appropriate service provider to discuss the concern.

#### Request for Social Work Involvement

If the team believes social-emotional and behavioral data should be collected by a school social worker, the school psychologist will consult with their building Social Worker and will notify the Special Education Director. Either the school psych or the case manager will fill out the Social Worker Request Form and submit to the Social Worker, School Psychologist, and the Director of Special Education.

#### Suspected Autism

If there are concerns a child may meet Educational Autism criteria, teams are advised to consult with the building school psychologist, social worker, speech-language pathologist, and/or occupational therapist to discuss existing information on the student and determine what additional data may be necessary in order to best understand and meet their needs. If the parent has obtained a medical diagnosis of Autism, that information should be requested and shared with the team with the parent's consent. If additional support or resources may be required due to the student's needs, the IEP team may request consultation from the Behavior and Autism Team (BAT) Appendix A has an Autism Spectrum Checklist can be used to assist teams in determining if they should consider Educational Autism for an evaluation.

#### Procedure for Reevaluation Using Only Existing Data

If the team has determined that no additional data is needed to determine whether the child continues to be a child with an exceptionality *and* to determine the child's educational needs, the school must notify the parents of that determination and the reasons for it; as well as the right of the parents to request an assessment to determine whether the child continues to be a child with an exceptionality and/or to determine the educational needs of the child [K.A.R. 91-40-8(c); 34 C.F.R. 300.305(d)].

If all parties agree to the use of only existing data, the procedure for scheduling and facilitating the reevaluation meeting remains the same as when new data is collected. An evaluation report must record all existing data collected as part of the reevaluation, observations, and recommendations based on the team's discussion(s), including recommendations regarding the student's educational programming and special education eligibility. Classroom observations must still be conducted by the school psychologist or social worker even if no new formal assessment is necessary. It is recommended that related service providers also conduct observations to inform present levels and educational programming.

#### Procedure for if No Reevaluation Needed

The procedure for if No Reevaluation Needed (waiving the reevaluation) should only be considered in rare circumstances and after careful team discussion regarding individual student needs. Appropriate circumstances may include postponing a reevaluation for a student identified as Developmentally Delayed closer to their tenth birthday or a student identified only under the Gifted exceptionality.

The No Reevaluation Needed Agreement Form may only be used when the parent and the school team (consisting of all service providers, special education teacher, and school psychologist) agree that a reevaluation is unnecessary [K.S.A. 72-3428(h)(2)(B); 34 C.F.R. 300.303(b)(2)]. They must consider the child's educational needs, which may include whether the child is participating in the general education curriculum and being assessed appropriately. The parent and the school will discuss the advantages and disadvantages of conducting a reevaluation, as well as what effect a reevaluation might have on the child's educational

program (Federal Register, August 14, 2006, p. 46640, 46641). Documentation of this agreement must be maintained (see No Reevaluation Needed Agreement on WebKIDSS).

This procedure **may not** be used:

- a. in two consecutive reevaluations (exceptions may occur at the high school level with Gifted reevaluations);
- b. when a parent requests a reevaluation;
- c. when dismissing a student from special education services;
- d. when a member of the IEP team indicates that additional data via a reevaluation is necessary in order for appropriate educational services to be determined and provided.

If all parties are in agreement that a reevaluation is unnecessary, the school psychologist, speech-language pathologist, or case manager will do the following:

1. Complete the Reevaluation Not Needed Agreement Form in the WebKIDSS form section and file. The form should include documentation of what was considered to determine no reevaluation is needed. It should address all developmental areas.
2. Obtain signature(s) on the Reevaluation Not Needed form from the parent(s).
3. Make a copy for the parent and the school psychologist/speech-language pathologist.
4. Change the WebKIDSS Reevaluation Date on the Dates/Ed Status page to the date the school received the signature on the Reevaluation Not Needed Form from the parent and mark the waived button.
5. The school psychologist/speech-language pathologist will turn in the original signed Reevaluation Not Needed Agreement Form to the MIS Clerk.

Signatures on the Reevaluation Not Needed form must be obtained prior to the three-year reevaluation date. If the parents have not signed the form and the reevaluation date is approaching, the team should proceed with the above procedures for conducting a reevaluation with no new information as parent signatures are not required in that case on the consent for reevaluation, reevaluation form, and PWN.

### **C. Notice of Reevaluation and Obtaining Parent Consent**

Informed written consent on a Prior Written Notice for a reevaluation must be obtained from the parent, educational advocate, or student (if aged 18+) prior to initiation of the reevaluation. If a student's parents are divorced, the person facilitating the reevaluation should attempt to obtain informed consent from both parties. If a biological parent is unavailable to give consent, please refer to Chapter II Section A: Definition of a Parent. The school psychologist and/or speech-language pathologist, with the help of case managers, are responsible for obtaining parental consent and providing parents with copies of signed consent and Parental Rights. Consent must be written in language understandable to the general public and provided in the native language of the parent or another mode of communication used by the parent, unless it is clearly not feasible to do so.

Informed parental consent is not required to conduct a reevaluation if the team can demonstrate through documentation that (a) it made reasonable efforts (i.e., two attempts using at least two different methods) to obtain such consent, and (b) the child's parent(s) failed to respond. Certified mail may be used—but is not required—to guarantee the parent(s) received the request for reevaluation. All attempts to contact parents should be documented in detail.

If the parent refuses consent for the reevaluation, the school may pursue the reevaluation through procedural safeguards, including mediation or due process. If the school does not pursue a reevaluation through those safeguards, it does not violate its obligation for child find or abdicate its responsibility to complete the reevaluation. If a parent of a child who is homeschooled or voluntarily placed in a private

school will not provide consent for the reevaluation, or if the parent fails to respond to the request, the school may *not* use mediation or request a due process hearing to pursue an evaluation (K.A.R. 91-40-27(f)(2); 34 C.F.R. 300.300(d)(4)). During reevaluation, as for an initial evaluation, the school is required to inform parents of their right to an independent educational evaluation, according to 34 C.F.R. 300.502.

#### **D. Reevaluation Procedures**

##### Reevaluation Scheduling and Deadlines

A student's reevaluation must occur every three years and must be completed prior to the triennial due date. It is advisable that reevaluations are completed within 60 school days from the date consent is returned. However, it should be noted that the triennial due date overrules the 60 school day timeline.

At the time the evaluation is completed and prior to the most applicable due date (see above), the team should schedule a time to convene to make the determination of eligibility. Parents must be provided an opportunity to participate in the eligibility meeting, which can be conducted at the same time as the IEP team meeting. The school must provide written notice of the meeting with at least 10 calendar days prior to the proposed meeting date. Parents must be notified of the proposed meeting date and time at least two times with two different methods (mailed letter, email, phone call, etc.). After sending home the Notice of Meeting, if a parent responds and requests a different date and time, the reevaluation team must make every attempt to accommodate their request. Thus, it is critical that schools start scheduling early on in the process to ensure compliance with the triennial due date.

##### Reevaluation Meetings & IEP Collaboration

Reevaluation meetings should be scheduled in conjunction with the student's annual IEP in order for assessment findings to be included in the Present Levels of Academic Achievement and Functional Performance (PLAAFPs) section of the IEP. If the IEP is due before the reevaluation, the IEP teams should complete the IEP and reevaluation prior to the IEP due date. IEP teams should schedule IEP/reevaluation meetings in advance to allow sufficient time to conduct the reevaluation. It is recommended that IEP/reevaluation meetings be scheduled two weeks before the due date. Case managers and school psychologists should collaborate at the start of the school year to identify and discuss students receiving reevaluations.

##### Early Reevaluations

Early reevaluations may be conducted if conditions warrant a reevaluation (e.g., new medical information has become available, a change in eligibility category is suspected, a need for data collection due to a significant change in the student's functioning, etc.), or if the child's parent(s) or teacher requests a reevaluation. Parents and teachers may request no more than one reevaluation per calendar year.

##### Speech-Only Reevaluations with Additional Concerns

Please review earlier sections in this chapter for additional information regarding a reevaluation. One purpose of a reevaluation is to assist teams to determine if a student is still eligible and in need of special education services. The reevaluation assists in the development of present levels in the IEP, but will also assist in the development of an instructional plan for the child should they not be found eligible. Most components of the reevaluation process mirror those required for the initial evaluation. "The evaluation must be sufficiently comprehensive to identify all of the child's special education or related service needs, whether or not commonly linked to the exceptionality category being considered for the child" (KSDE Special

Education Process Handbook, chapter 3, p. 44). In the case of students who are receiving only speech services and are being reevaluated, the speech pathologist must take steps to plan with the student's team to determine what assessments and other measures may be needed in order to meet that requirement. Each reevaluation is individualized, and careful planning is required to both ensure that the reevaluation is comprehensive but that data is not collected without a clear purpose.

Teams should first review existing data, and this may be conducted without a meeting and without parental consent. It is important to begin this process early, and ideally, the speech pathologist, school psychologist and others will together review the list of all students to be re-evaluated early in the fall, to plan. It is recommended the speech pathologist begin to gather information and review existing data well before the prior written notice for evaluation/re-evaluation is presented to parents, as this will give teams' maximum time to plan and make decisions in order to allow ample time to collect input. A re-evaluation planning form or google doc may be helpful to gather current information about the child's academic and functional performance needs and strengths. If a "new" area of need is identified, the team may determine that it will assess that area while providing general education intervention concurrent with the evaluation process. The prior written notice for evaluation/re-evaluation would be developed to include that area for assessment. The team may also determine the interventions currently taking place in the general education classroom are sufficient to meet the needs of the student in that area. Thus, creating no need for evaluation regarding that concern. A student may have an exceptionality but not a need for special education and a student may have a need for special education but not have an identified exceptionality. Neither of those examples would meet both prong 1 and prong 2 for eligibility in special education.

Recall that the results of the reevaluation will allow the team to determine:

1. if the child continues to be a child with an exceptionality (prong 1)
2. whether the child continues to need special education and related services (prong 2)
3. the educational needs of the child
4. the present levels of academic and functional performance, and
5. whether any additions or modifications to the special education services are needed to meet the IEP goals

The team must also use the data to determine what level of support is needed for the student to access and progress in the general curriculum, and if that level of support would require specially designed instruction (SDI) in order to access FAPE. If the student needs only general accommodations, for example, they are no longer eligible for special education, and a 504 plan could be considered.

From KSDE Special Education Process Handbook, Chapter 7.

### Changes in Eligibility

Reevaluations are required before a student's eligibility category may be changed. Reevaluations are also needed prior to dismissing a secondary eligibility category. Reevaluations exploring eligibility changes are similar to an initial evaluation in both form and function: team members participate in the same depth and degree of data collection and eligibility meetings use similar procedures.

### Developmentally Delayed (DD)

Students identified under the Developmentally Delayed (DD) category may be reevaluated for an alternative disability category when they turn six years of age, and they must be re-categorized or dismissed from special education services by the age of ten. Reevaluations for such students should determine whether they demonstrate a disability as defined by any of the other categorical areas, and whether they continue to demonstrate a need for special education services. Should a student no longer meet eligibility for DD or any other exceptionality, parent consent is not required but a Prior Written Notice must be provided. Additional

information regarding students aging out of special education services due to the Developmental Delay label can be found in Chapter 7 of the KSDE Special Education Process Handbook.

### Gifted Reevaluations

Reevaluations for students identified *only* under the Gifted exceptionality are the responsibility of the case managers and school psychologists. Generally, no new data is necessary to understand and support the educational needs of Gifted students. If the parents and school team agree no reevaluation is needed, the school psychologist should follow the procedure for No Reevaluation Needed found in this chapter. Should additional data be necessary and the evaluation team decide to pursue a reevaluation with new data collection, the case manager is encouraged to consult with the building school psychologist for assistance with paperwork completion and meeting facilitation.

## **E. Reevaluation Feedback Meeting and Eligibility Staffing**

Decisions regarding continued eligibility and need for services are made by a team of qualified professionals and the parents of the child who has been evaluated [K.A.R. 91-40-10(a)(1)]. The parents participate with the team in every aspect of the eligibility determination, except that parents are not required to agree with the eligibility recommendation and are not required to submit a separate statement if they do disagree.

The team must ensure that information obtained from all sources used in the evaluation is documented and carefully considered [K.A.R. 91-40-10(d)(2); 34 C.F.R. 300.306.(c)(1)(ii)]. Teams must ensure that the child meets the definition of one of the categories of exceptionality based on eligibility indicators and, as a result of that exceptionality, needs special education and related services [K.A.R. 91-40-1(k)(w); 34 C.F.R. 300.8]. If a child meets the definition of an exceptionality category but does not need special education and related services, they will not be determined to be eligible. If the child has a need for special education and related services but does not meet the definition of an exceptionality category, they will not be determined to be eligible. In the case of a child who is found to have a disability, but does not need special education and related services, a referral for a 504 evaluation may be considered. Teams should refer to the district eligibility indicator forms found within the appendix.

## **F. Reevaluation Paperwork Responsibilities**

### Paperwork Responsibilities

Original reevaluation paperwork must be submitted to MIS Clerk at the Coffey County Special Education Cooperative Office within 10 days of the eligibility meeting. All documents will be filed in WebKIDSS, and all supplemental supporting paperwork should be uploaded as an attachment.

Reevaluation team member responsibilities differ by grade levels.

### Preschool

At the preschool level, case managers will complete the following:

1. Notice of Evaluation and Request for Consent Form
2. Notice of Meeting
3. Prior Written Notice – Continued Placement
  - a. Case managers are responsible for the PWN, but school psychologists and/or speech-language pathologists will collaborate in its completion; a PWN must be completed for all reevaluations

School psychologists and/or speech-language pathologists will complete the following:

2. Reevaluation Report
  - a. School psychologists and/or speech-language pathologists are responsible for completing the report and obtaining required signatures
  - b. Each service provider collecting data is responsible for ensuring that their information is recorded on the evaluation report by entering it directly or sending it in advance to the school psychologist
  - c. Reports must document that all areas of potential concern have been considered
3. Prior Written Notice – Discontinuation of Services
  - a. If a student is exited from special education services, the school psychologist and/or speech-language pathologist is solely responsible for the PWN
4. Staffing Notes
  - a. Staffing notes must be completed and submitted with all paperwork to the parents, team, and MIS Clerk at the CCSEC Office within 10 days of the meeting.

Case managers are responsible for the PLAAFP of all reevaluations, but school psychologists and/or speech-language pathologists should include all relevant assessment information.

#### Elementary and Middle School

At the elementary and middle school levels, school psychologists, speech-language pathologists, or gifted facilitators will complete the following:

1. Notice of Evaluation and Request for Consent Form
2. Notice of Meeting
  - a. Completed in coordination with the case manager
3. Evaluation/Reevaluation Report
  - a. School psychologists, speech-language pathologists, or gifted facilitators are responsible for completing the report and obtaining required signatures
  - b. Each service provider collecting data is responsible for ensuring that their information is recorded on the evaluation report by entering it directly or sending it in advance to the school psychologist
  - c. Reports must document that all areas of potential concern have been considered
  - d. In the event that a reevaluation is conducted but data is only collected in one specific area (such as motor), the school psychologist and/or speech-language pathologist will complete all areas of the evaluation report except for testing information. The school psychologist or social worker, if already a service provider, will also complete the observation section.
4. Prior Written Notice
  - a. If the reevaluation is completed in coordination with the annual IEP review, the school psychologist must collaborate with the case manager to complete a joint PWN
  - b. If the reevaluation is held independent of the annual IEP review, the school psychologist or speech-language pathologist is solely responsible for the PWN
5. Staffing Notes
  - a. Staffing notes must be completed and submitted with all paperwork to the parents, team, and MIS Clerk at the CCSEC Office within 10 days of the meeting.

Within 10 school days, copies of all paperwork will be made and distributed to (a) the parent, (b) the case manager, and (c) the MIS Clerk. Case managers are responsible for the PLAAFP of all reevaluations, but school psychologists and/or speech-language pathologists should include all relevant assessment information.

## High School

At the high school level, case managers are responsible for the following:

1. Notice of Evaluation and Request for Consent Form
2. Evaluation/Reevaluation Report
  - a. Case managers are responsible for completing the report and obtaining required signatures
  - b. Each service provider collecting data is responsible for ensuring that their information is recorded on the report by entering it directly or sending it in advance to the school psychologist
  - c. Reports must document that all areas of potential concern have been considered
  - d. In the event that a reevaluation is conducted but data is only collected in one specific area (such as motor), the school psychologist and/or speech-language pathologist will complete all areas of the evaluation report except for testing information. The school psychologist or social worker, if already a service provider, will also complete the observation section.
3. Prior Written Notice (PWN)
  - a. Completed in coordination with the case manager; a PWN must be completed at the conclusion of all reevaluations
  - b. If a student no longer qualifies for special education services, the school psychologist and/or speech-language pathologist is solely responsible for the PWN
4. Staffing Notes
  - a. Staffing notes must be completed and submitted with all paperwork to the parents, team, and MIS Clerk at the CCSEC Office within 10 days of the meeting.
  - b.

Within 10 school days, three copies of all paperwork will be made and distributed to (a) the parent, (b) the school psychologist, and (c) MIS Clerk. Case managers are responsible for the PLAAFP of all reevaluations, but school psychologists and/or speech-language pathologists should include all relevant assessment information.

## **VI. Discontinuing Special Education Services**

A student may exit special education services in one of two ways:

1. Reevaluation results indicate the student no longer meets eligibility criteria or requires specialized instruction (Section A)
2. A parent revokes their consent for services (Section C)

### **A. Students No Longer Eligible for Services**

If a parent or IEP team suspect the child is no longer eligible for special education and related services, a reevaluation must be completed to determine whether the child (a) is no longer a child with an exceptionality, and/or (b) no longer demonstrates a need for specialized instruction. If the IEP team determines the child no longer meets both prongs of special education eligibility criteria based on reevaluation results, complete the following steps:

1. Complete the Reevaluation Report and obtain team signatures,
2. Complete a Prior Written Notice and obtain informed parent consent,
3. Provide a copy of the Reevaluation Report and PWN to the parent, and
4. Give original paperwork to MIS and place copies in the psych file

Although the student is no longer eligible for special education services, the IEP team may determine the student qualifies under Section 504, and s/he may benefit from a 504 Plan.

#### Students Who Exceed the Age of Eligibility

A student's special education services may be discontinued *without* informed parental consent *if* the child exceeds the age of eligibility for special education services. This will most often apply to a student identified under the Developmental Delay category who is turning ten years of age. A reevaluation is first required to determine whether the child meets eligibility criteria under any other special education category; however, if the student does not meet both prongs of eligibility criteria, parent consent is not required to discontinue special education services on their tenth birthday.

If a student exceeds the age of eligibility under Developmental Delay, complete the following:

1. Hold the reevaluation meeting prior to (and independently of) the IEP meeting
2. Complete a PWN at the conclusion of the reevaluation explaining special education services will be discontinued because the student no longer meets eligibility criteria for either the category they are currently identified under or any other special education category
  - a. When this PWN is presented to the parent, parents should NOT be asked to provide their consent, as this action does not require consent
3. Hold an IEP meeting to determine appropriate services provided until the student turns ten
  - a. Services will be provided until the student's tenth birthday, OR— if the child has a summer birthday—the last day of the school year
  - b. The school psychologist should collaborate with the case manager to write the PWN. The PWN should state the date services will discontinue and explain the reevaluation determined the student did not meet eligibility criteria and the student may only receive services under the Developmental Delay category until the age of ten per state regulations
    - i. If parents indicate they do not give their consent, the team will provide services until the student's birthdate or the end of the school year (for a summer birthday)
4. It is best practice to send a third PWN a couple weeks prior to the services being discontinued as a reminder that the student will no longer be receiving services after the child's third birthday. Also,

note the parent has a right to request an initial evaluation at any time in the future. Send a copy of the PWN to the parent, but the parent should NOT be asked for consent.

5. Provide a copy of the third PWN to MIS Clerk in order for the child to be exited from Webkidss on the child's third birthday.

## **B. Parental Consent Requirements**

In most cases, informed parental consent is required to discontinue special education services if the team determines the child no longer meets eligibility criteria for special education and related services. Parental consent to discontinue services is *not* required—and should not be asked for—in the following circumstances: the student graduates from high school, the school year in which the student reaches age 21 comes to an end, the student drops out of school, or the student exceeds the age of eligibility.

If parental consent is required, the IEP team proposes discontinuation of special education services, and the parent refuses to consent, then services must continue and an IEP meeting must be held.

### Writing an IEP for a Student Who No Longer Qualifies

If a parent refuses to consent to the discontinuation of special education services, special education staff must complete an IEP and continue to provide services. Staff may propose the student's services be reduced to "consultative" or "indirect" services; however, the parent may refuse to consent to a significant change in services or placements. Special education teams may reduce services up to 24% from that listed on the previous IEP without parent consent.

When teams must write IEP goals for students who no longer demonstrate a need for services, they are advised to write a measurable goal indicating the student will continue to demonstrate appropriate grade-level skills in the content area.

## **C. Revocation of Consent for All Special Education Services**

If a parent(s) or a student over 18 voluntarily revokes their consent for special education services, the request must be in writing. The evaluation team may meet with the parent in an attempt to resolve any difficulties, but the LEA must honor the parent's revocation of consent. In order to revoke their consent and discontinue special education services, the team must:

1. Present the parent with the three following documents:
  - a. Parents Rights and Procedural Safeguards;
  - b. "Revocation of Consent for All Special Education and Related Services" form
  - c. Prior Written Notice for Termination of All Special Education Services, Related Services, and Supplementary Aids and Services Due to Parent's Revocation of Consent.
2. Provide the parent with a copy of the "Revocation of Consent" and PWN
3. Send completed revocation forms to the MIS Clerk and place a copy in the psych file

Note: The only document requiring the parent's signature is the "Revocation of Consent." (The PWN does not include a parent signature line, as this is not the document revoking consent; rather, the PWN explicitly states services will cease on the date the parent signs the "Revocation of Consent" form.)

If a parent requests the student reenter special education services after revocation of consent, an initial evaluation must be completed to determine eligibility.

#### **D. Student Drops out of School**

Under K.S.A. 72-3120, students without disabilities are, under specified circumstances, allowed to drop out of school at age 16. However, K.S.A. 72-3421 gives parents of a child with a disability the responsibility to provide for the special education services for their child, either within the public school or through private means, for the entire period of their child's eligibility. If for some reason a student with a disability drops out of school, documentation that the parents were informed of the requirements of the compulsory attendance statute for special education students (K.S.A. 72-3421) should be placed in the student's confidential file. The school is obligated to consider the student's FAPE entitlement and the school's obligation to report truancy to the District or County Attorney for students with disabilities younger than age 18. The school may want to consult with the school's attorney if they believe the parents of a student with a disability will not provide the special education services for the child. The school must inform the parents that special education services continue to be available to the student. KSDE recommends that the school send a letter to the parents, stating that the school remains ready to provide special education services to their child. No Prior Written Notice, consent, or reevaluation is required to exit the student from special education services, as the school is not exiting the student from special education in this case. If the student reenrolls, the previous IEP must be implemented until a new IEP is developed.

Revoking consent for all special education and related services prior to dropping out of school.

If a parent revokes consent for all special education and related services, and the parent's child is 16 years of age or older, the student should be treated as a general education student and permitted to use the procedures in K.S.A. 72-3120 to drop out of school. If a parent who revoked consent for all special education and related services later wishes his or her child to be reenrolled in special education, the agency must first conduct an initial evaluation to determine whether the child qualifies for special education (K.A.R. 91-40-27(l)).

#### **E. Special Education Exit Procedure and Paperwork Responsibilities for Exits**

When students are exited from special education services, complete the following:

1. The school psychologist or speech-language pathologist completes the evaluation paperwork, obtains any necessary parent signatures (see above), and turns in all paperwork to the MIS Clerk and places a copy in the psych or SLP folder
  - a. For more information on completing the Prior Written Notice, see the PWN example in the appendix
2. The school psychologist or speech-language pathologist emails the MIS Clerk to inform them the student is exiting.

## **VII. Suspension and Expulsion of Children with Disabilities**

### **A. Manifestation Determination Reviews (MDRs)**

**In the Coffey County Special Education Cooperative, a Manifestation Determination Review (MDR) is required:**

1. When a student accumulates more than 10 days of suspension in a school year; AND
2. Each time a student is suspended if he/she has already accumulated more than 10 days of suspension in a school year; OR
3. If a student is placed in a 45 school day Interim Alternative Educational Setting (IAES)

**KSDE's guidance on what constitutes a *day of suspension* toward MDR requirements:**

- A partial day (any part) of suspension counts as a *day of suspension*
- In-school suspension(s) counts as a *day of suspension* unless the student is afforded the opportunity to the following during in-school suspension:
  - Continue to appropriately progress in the general curriculum; and
  - Continue to receive the services specified on his/her IEP; and
  - Continue to participate with children without disabilities to the extent they would have in their current placement
- Suspension from the bus counts as a *day of suspension* if special education transportation is a related service on the student's IEP.
  - If special education transportation is not a related service, suspension from the bus may still count if the student cannot get to school to benefit from special education.

(KSDE Special Education Process Handbook, Chapter 13)

### **Interim Alternative Educational Setting**

If, through the MDR process, the team determines that a student's misconduct is not a manifestation of his/her disability or the school's failure to implement the IEP (including the current BIP, if applicable), disciplinary procedures consistent with those followed for students without disabilities can be applied. If the disciplinary procedure results in a long-term suspension or expulsion, the student must be placed in an Interim Alternative Educational Setting (IAES) so he/she continues to receive services that enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. Change in placement to an IAES in the disciplinary context does not require parental consent to the placement, but parents must participate in the IEP team decision.

### **45 School Day Interim Alternative Educational Setting**

In certain disciplinary situations involving weapons, drugs, serious bodily injury, school administrators may remove a student to an IAES for up to 45 days without parent consent regardless of the outcome of the MDR. However, a MDR is still required and may prompt the need to complete a functional behavior

assessment and provide behavioral intervention services/modifications to address the behavior so that it does not reoccur. While at an IAES, special education students must receive services that allow them to participate in the general education curriculum and progress toward meeting their goals set out their IEP goals and objectives.

Placement in a 45 school day IAES may also be ordered by a state special education hearing officer. An expedited due process hearing can be requested by the school if they believe that returning the student to the specified setting in the child’s IEP would be substantially likely to result in injury to the child or others in the school. This should only be requested in serious and unusual circumstances. If the MDR team is considering this, the district legal counsel must be consulted.

<b>How does a student get to an Interim Alternative Educational Setting (IAES)?</b>		
<b>Behavior</b>	<b>Who decides the student will be moved to an IAES?</b>	<b>Who decides the services the student will receive in the IAES?</b>
Student engaged in misconduct that was not a manifestation of the student’s disability and was lawfully long-term suspended or expelled from school	Once the suspension/expulsion hearing officer finds the student engaged in the misconduct, school administrators can determine the student will be served in an IAES	The student’s IEP team determines placement and the services to be provided.
Student misconduct involved: 1) carrying or possessing a weapon; 2) knowingly possessing, using, selling or soliciting the sale of an illegal drug; 3) inflicting serious bodily injury on another person	The principal or other school administrator can determine that the student will be moved to a different setting for a period of not more than 45 school days.	The student’s IEP team determines placement and the services to be provided.
Student misconduct involved “dangerous behavior” and district requested a special education due process hearing to change placement.	A state special education hearing officer orders the change of placement for up to 45 school days.	The state special education hearing officer determines placement and the services to be provided.

## MDR Process and Steps

**Who must attend** – School psychologists are responsible to insure that they or the Director of Special Education are available to chair the MDR meeting. The representative of the school (LEA), other relevant IEP team members chosen by the LEA, and parent(s) or guardians will attend.

**Staff Responsible** – School psychologists are responsible to create, provide, and distribute required paperwork for the MDR according to procedures listed below. District Policy requires that a school psychologist and/or the Director of Special Education be present to facilitate the review. The LEA Representative should be determined prior to the meeting. The case manager is required to attend.

1. **Notice of Meeting** -- A 10-day notice is not required for an MDR. The school is required to give only 24 hours prior written notice of the IEP team meeting to the parent(s) or guardian when a long-term suspension, an expulsion, a short-term suspension that includes the 11th school day of suspension in a school year is proposed for the student, or the student is placed in a 45-day alternative educational setting, and the purpose of the IEP meeting is: (1) to develop a functional behavioral assessment or behavior intervention plan (91-40-37(c)), (2) to determine the special education services needed by the student (91-40-36(d)), or (3) to conduct a manifestation determination (91-40-38(d)). The IEP team may meet sooner than 24 hours if the parent agrees.
2. **Parent Rights in Special Education** (Procedural Safeguards) – Parent Rights should be provided when the written Notice of Meeting is delivered. If it is not provided with the written Notice of Meeting, it must be provided at the beginning of the MDR.
3. **Pre-Meeting** – It is best practice to have a pre-meeting prior to the MDR where team member roles are assigned and existing information is gathered. This meeting must not predetermine the MDR outcome.
4. **Meeting** – Discuss the purpose of the meeting, use the MDR form to guide the structure of the meeting, and determine whether the behavior was a manifestation of the student's disability.

In the MDR meeting, the team must determine whether or not the behavior has a direct and substantial relationship to the child's disability or is a direct result of the school's failure to implement the child's IEP. The MDR meeting is not designed to implement changes in the IEP. IEP changes, if necessary, would be made in a subsequent IEP meeting with a 10-day Prior Written Notice provided to the parent(s) or guardian. The parent, of course, could be waive this after the MDR meeting. Placement options are to be discussed in the IEP meeting.

5. Complete the **Manifestation Determination Review** (MDR) form and secure signatures. If IEP team members' dissent, the reason for the dissent should be documented on the MDR form. Parent signature is not required.
6. **Prior Written Notice** (PWN) – The PWN is completed at the meeting. The team will record all options considered and the reasons why they were rejected or accepted. Parent signature is not required in a disciplinary action.
7. If a discipline hearing is held after the MDR, the team may wait until the Hearing Officer's decision is made to complete the MDR paperwork. The decision as to whether the behavior was a

manifestation should be made prior to the hearing because no hearing is necessary if the behavior is a manifestation of the disability.

8. Attach relevant documents.
9. The MDR paperwork will be filed in the special education file at the CCSEC Office.
10. School psychologist will send original MDR documents to the MIS Clerk at the CCSEC Office.
11. If the violation of the code of student conduct is not a manifestation of the child's disability, the district may transmit the special education and disciplinary records of the child to the school's disciplinary hearing officer for consideration in making the final determination in the disciplinary action. [Note: 34 C.F.R. 300.535 only requires transmittal of special education records to appropriate authorities when a crime has been reported.] Even if the school's disciplinary hearing officer determines that the child should be suspended or expelled, the district must continue to provide a free appropriate public education (FAPE) for the child.
12. If an administrator wants to suspend a student who has reached the 11th day of suspension, cumulatively in a school year, the school must continue to provide services for the student. Each time a student engages in misbehavior for which a suspension or expulsion beyond day 11 is proposed, an MDR must be conducted. If the behavior is a manifestation of the disability, out-of-school suspension cannot be imposed. If the behavior is not a manifestation of the disability, suspension or expulsion can be imposed following a suspension or expulsion hearing, but services must continue in an interim alternative educational setting. Services that are provided in an interim alternative educational setting are determined by the IEP team and must be designed to ensure the child is progressing in the general education curriculum, is working on meeting IEP goals and objectives, and is receiving services that are designed to address the behavior so it does not reoccur. In this disciplinary context, parental consent to the change of placement is not required. However, the parent must be part of the IEP team determining the services to be provided in the interim alternative educational setting.

If a student has several days of suspension, then engages in a behavior that is drastically different and the administrator is proposing a long-term suspension for this behavior, the team can consider just the proposed 10 day suspension separate from the previous incidents. This is a rare instance and the behaviors have to be drastically different with behavior in question being a significant incident resulting in a possible long term suspension. An example would be a student who has accumulated 6 days of suspension for skipping class and then the student gets into a fight causing harm to another student.

#### MDR and GEI

If a student is in GEI and the team suspects the student has a disability, the student is entitled to an MDR to ensure the student receives FAPE. If a student has been suspended 10 days, the administrator will notify the School Psychologist to begin the process. The School Psychologist will create a student record in Webkidds in order to fill out the Notice of Meeting and MDR paperwork. Procedures above should be followed. If the team determines the behavior is a manifestation of the suspected disability, the GEI team will submit a referral for a comprehensive evaluation to the School Psychologist to process. The school psychologist will then conduct an initial evaluation. If the team determines the student is eligible for services under the suspected disability category, then the student is entitled to FAPE for any future disciplinary actions. If the student does not qualify for

special education or if the parent does not consent to the evaluation or proposed IEP, then the student is no longer protected under IDEA and can be suspended for behavior.

**B. Manifestation Determination Review Guidance –This is may not be the official MDR Form**

Student's Name: \_\_\_\_\_ Date: \_\_\_\_\_

School: \_\_\_\_\_ Grade: \_\_\_\_\_

School Psychologist or Social Worker \_\_\_\_\_

Days of Suspension \_\_\_\_\_

**1. Summary of the information considered:**

A. Student's behavior – ***Describe the behaviors that led to the MDR.***

B. Student's IEP – ***Are there behavioral concerns identified in the IEP? If so, how does the IEP address these concerns? Is there an FBA and/or a BIP?***

C. Teacher observation of the student – ***What data is available documenting progress on academic and behavioral performance? (Examples: IEP progress notes, grade reports, teacher records)***

D. Relevant information provided by the parent -- ***Are there any mitigating circumstances that are playing into the child's behaviors relevant to the situation?*** Are there mitigating circumstances that do not excuse, but may help explain, in part, the student's behavior? Are there concerns the parent believes have not been addressed? What involvement does the student have with community agencies?

E. Any other relevant information – ***Relevant information may include information from current and previous evaluations, IEPs, case reviews, discipline records, attendance, community records/reports, previous MDRs, FBA, BIP, credits, log entries, medical plan, diagnosis, grades.***

**2. Was the conduct in question caused by or have a direct and substantial relationship to the child's disability?**

YES or NO

***With regard to a manifestation determination, what is meant by conduct that has a "direct and substantial" relationship to a student's disability?***

***One way that a student's behavior is determined to be a manifestation of the student's disability is when relevant members of the student's IEP team determine that the behavior in question was caused by, or had a "direct and substantial" relationship to, the child's disability. The phrase "direct and substantial" has not been specifically defined. The only guidance to what is meant by the phrase "direct and substantial" is a statement in the comments to the federal regulations indicating that a behavior should not be determined to be a manifestation of a student's disability if the relationship of that behavior to the child's disability was merely "an attenuated association, such as low self-esteem." (Federal Register, August 14, 2006, pg. 46720)***

*With so little guidance regarding this question, it is useful to examine the plain meaning of the words themselves. Webster's dictionary defines the term "direct," as the term appears to be used in the context of a manifestation determination, as "proceeding in a straight line or by the shortest course; straight; not oblique; proceeding in an unbroken line of descent." The term "substantial" is defined as "of ample or considerable amount, quantity, size, etc." (Webster's College Dictionary, Random House [Second Edition 1999]). Accordingly, to have both a direct and substantial relationship to a student's disability, the student's behavior must be linked straight to the student's disability without the necessity of examining outside influences or effects and the link of the behavior to the disability must be one of ample or considerable proportion. This is a subjective standard and reasonable minds on the team may disagree. When that happens, the school representative on the team must make the final decision. A parent has a right to challenge the decision of a manifestation team through an expedited due process hearing. (KSDE Special Education Process Handbook, Chapter 13)*

3. Was the conduct in question a direct result of the school's failure to implement the IEP?

YES or NO

*If the school, the parent and other relevant members of the child's IEP team determine that the student's behavior was the direct result of the school's failure to implement the IEP, the school district must take immediate action to remedy those deficiencies. If it is determined by the group that the school failed to implement the IEP, then the conduct must be determined to be a manifestation of the child's disability. (See Manifestation Determination Form at: <http://www.ksde.org/Default.aspx?tabid=2832>.)*

4. Determination:

The team (which included the student's parent(s) or legal decision maker, a representative of the school district, and relevant members of the IEP team) looked at all relevant information and determined that the behavior

**IS a manifestation of the disability (If the answer to either question 2 or 3 is "Yes" then it is a manifestation of the disability)**

**AND**

- the student will be returned to the placement specified in his/her IEP, unless: (a) the school and parent(s) agree to a change of placement through the IEP process; or (b) the student is assigned to an alternative educational setting for possession of a weapon or illegal drugs or for infliction of serious bodily injury on another person; and **(The student will return to their regular school or an alternative placement AND...)**
- the team will conduct a functional behavioral assessment (unless a functional behavioral assessment has already been conducted), and will implement a behavior intervention plan for the student; or **(an FBA/BIP will be completed for the first time or...)**
- the team will review the existing behavior intervention plan and modify it, as necessary, to address the behavior that resulted in the disciplinary removal. **(The team will review the BIP and modify it**

**to address the behaviors that led to the MDR, if it doesn't already address them or address them in a way that is not sufficient.)**

**OR**

- IS NOT** a manifestation of the disability. *(If the answer to both questions 2 and 3 is "No" then it is not a manifestation of the disability)*

**AND**

- disciplinary removal may occur, but the school district must continue to make a free appropriate public education (FAPE) available to the student in a manner which enables the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP; and ***(The school may decide to long-term suspend the student but must still provide an education to the student in another setting AND...)***
- If appropriate, the school will conduct a functional behavioral assessment and develop a behavior intervention plan designed to address the behavior violation so that it does not recur. ***(If there is a consistent pattern of behavior, the team will conduct an FBA/BIP to address the behavior.)***

Team Members Present

NAME /TITLE

_____	_____
_____	_____
_____	_____

DISSENTING OPINION TEAM MEMBERS: ***If there is dissent, the LEA will make the final decision. Dissenting members need to document the reason for the dissent on this form.***

NAME

TITLE

_____	_____
_____	_____

Attachments: YES or NO

- Send copy to Executive Secretary for the Special Education Director.
- School psychologist places copy in permanent Special Education Folder at Lundgren Education Center.
- Use "File Document" function in WebKIDSS to preserve an electronic copy.

## **VIII. Appendices**

### A. Autism Checklists, Observation, and Consent Forms

#### 1. Checklist

### B. Screening Consent Forms

#### 1. Consent Form

### C. Eligibility Meeting Forms

#### 1. Sample Eligibility Meeting Agenda

#### 2. Input for Summary of Educational Information for Present Levels of IEP

### D. Eligibility Criteria for all Exceptionalities

#### 1. Educational Autism Spectrum Disorder

#### 2. Developmental Delay

#### 3. Emotional Disturbance

#### 4. Gifted

#### 5. Intellectual Disability

#### 6. Learning Disability

#### 7. Multiple Disabilities

#### 8. Orthopedic Impairment

#### 9. Other Health Impairment

#### 10. Sensory Impairments

##### A. Hearing Impairment and Deafness

##### B. Visual Impairment and Blindness

##### C. Deaf/Blindness

#### 11. Speech or Language Impairment

#### 12. Traumatic Brain Injury

### E. Related Service Staff Participation in Initial Evaluations for Each Exceptionality

### F. Sample Letter for Failure to Respond for Initial Consent

### G. Sample Letter for Failure to Respond During Initial Evaluation

### H. Letter Acknowledging Receipt of Parent Request for Comprehensive Evaluation

- I. Sample Wording for PWN Consent for Initial Evaluation
- J. Requirements for Parent Notice and Consent
- K. IEP Team Meeting Requirements
- L. LRE Decision Tree

## Appendix A: TPS Autism Spectrum Disorder (ASD) Checklist

### CCSEC Autism Spectrum Disorder (ASD) Checklist

This checklist is intended to assist in identifying a collection of signs and symptoms. Please mark all signs or symptoms observed or reported. This information is a component of the TPS ASD Screening Instrument (TASI). If at least two items are indicated in each category, the student may be considered to exhibit characteristics justifying consideration of a suspected Educational ASD.

I. Examples of **social issues** related to ASDs:

- ..Does not respond to name by 12 months of age
- ..Avoids eye contact
- ..Prefers to play alone
- ..Does not share interests with others
- ..Only interacts to achieve a desired goal
- ..Has flat or inappropriate facial expressions
- ..Does not understand personal space boundaries
- ..Avoids or resists physical contact
- ..Is not comforted by others during distress
- ..Has trouble understanding other people's feelings or talking about own feelings

II. Examples of **communication issues** related to ASDs:

- ..Delayed speech and language skills
- ..Communicates distress with vocalizations
- ..Repeats words or phrases over and over (echolalia)
- ..Difficulty initiating/maintaining a variety of conversations
- ..Gives unrelated answers to questions
- ..Does not point or respond to pointing
- ..Uses few or no gestures (e.g., does not wave goodbye)
- ..Talks in a flat, robot-like, or sing-song voice
- ..Does not pretend in play (e.g., does not pretend to "feed" a doll)
- ..Does not understand jokes, sarcasm, or teasing

III. Some people with an ASD have **other symptoms**. These might include:

- ..Easily reaches exhaustion or fatigue
- ..Withdraws or isolates
- ..Difficulty with transitions
- ..Becomes upset with minor changes/must have a certain routine
- ..Hyperlexic - but does not understand the meaning of the words read
- ..Temper tantrums
- ..Unusual eating and sleeping habits
- ..Unusual mood or emotional reactions
- ..Lack of fear or more fear than expected
- ..Unusual reactions to the way things sound, smell, taste, look, or feel

**Appendix B: Consent for Screening Form**

**Consent for Screening Form**

Date:

Dear Parent/Guardian of: \_\_\_\_\_:

The Student Improvement/Resource Team at \_\_\_\_\_ feels that additional information would be helpful in determining your child's educational needs, and how we can best assist him or her to meet those needs.

Your consent is requested to screen your child in the areas checked below:

- Ability Level
- Readiness Skills
- Academic Performance Level
- Behavior and Social Adjustment
- Other \_\_\_\_\_

School Professionals that will do a part of this screening are checked in the list below:

- Psychologist
- Speech/Language Therapist
- Social Worker
- Occupational Therapist
- Physical Therapist
- Vision Specialist
- Audiologist

This screening **is not** part of an evaluation for special education services. If you have questions about the screening, please call \_\_\_\_\_ at \_\_\_\_\_.

If you give your consent for your child to be screened, please sign and date below. Thank you.

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

\_\_\_\_\_  
Date

## Appendix C: Sample Eligibility Meeting Agenda

### Sample Eligibility Meeting Agenda

I. Introductions:

II. Purpose of Meeting:

**Review strengths, needs and identify appropriate interventions.**

Question to be answered:

**What does this student need from the team to be successful at our school?**

III. Summary of Student Strengths and Needs by Domain:

(From GEI "Request for Comprehensive Evaluation" and "Parent Input" Worksheet, as well as from evaluation data) (Please do not include test scores at this stage.) Record this data under relevant domains in the PLAAFP.

**Consider academic, social- emotional, cognitive, communication, and motor abilities.**

IV. Potential Intervention Strategies:

- a) What's working?
- b) What else might work?

**Consider student traits/skills, teaching methods, curriculum, and environment.**

V. Determine Eligibility:

**Question 1:** Does Child Meet Kansas Criteria for a Student with an Exceptionality?

**As determined by the SE evaluation team, has criteria been met for a specific Exceptionality?** (Refer to Criteria handout) **If yes, what is the Exceptionality?**

**Question 2:** Does the Evidence Demonstrate Educational Need?

**What would it take to make these strategies work over time so that the student can be successful?**

Consider whether the student requires resources beyond General Education in CURRICULUM, INSTRUCTION and/or ENVIRONMENT. **Has the data/information collected demonstrated the need for specialized instruction?**

**Question 3:** Is this Student Eligible for Special Education Services?

If Questions 1 and 2 are both "yes", this student is eligible for services from Special Education.

**Question 4:** If answer to Question 3 is "yes", How will the Team Know when the Student no longer Needs Special Education Services?

VI. Recommendations:

(See Evaluation Report)

## Input for Summary of Educational Information for Present Levels of IEP

Summary of Educational Information regarding: \_\_\_\_\_

(Name of Student)

On \_\_\_\_\_, we will meet to discuss the educational strengths and needs of the student named below, and determine whether or not the student is eligible to receive Special Education services.

To be respectful of your time, as well as that of the parents, we request your assistance in providing current information prior to the meeting. Please email your information to me by \_\_\_\_\_, and I will compile it for use during the meeting.

Thank you in advance for your assistance. If you have any questions, please call me at:

\_\_\_\_\_ (Name of Evaluation Team Member)

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

Job Title/: Subject:

1. From your perspective, in the areas of Academics, Behaviors, and Organization, please identify the student's:

- **Strengths**
  
- **Individual needs** (Please provide the specific data that shows the student's current performance compared to that of peers – example, "Regarding this specific concern, the student is... and the class is....)

2. What type of supports are currently being provided? When do they occur, how often, for how long, etc.?

3. Additional comments:

**Autism**

***KAR 91-40-1***

(f) "Autism" means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age three but not necessarily so, that adversely affects a child's educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences. The term shall not apply if a child's educational performance is adversely affected primarily because the child has an emotional disturbance.

**Exclusionary Criteria:**

A child must NOT be determined to be a child with an exceptionality if the determinant factor is:

Exclusionary Factor	How to Evaluate
<ul style="list-style-type: none"> <li>Lack of appropriate instruction in reading, including the essential components of reading instruction (defined in section 9215(c) of ESEA);</li> </ul>	<p>Evidence shows that the child's previous reading instruction and curriculum included explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading (fluency including oral reading skills), and reading comprehension strategies. This evidence may come from; (a) an evaluation of the school's ELA core/tier 1 curriculum and supplemental materials, (b) that the child actually received instruction provided by highly qualified teachers using appropriate ELA core/tier 1 curriculum and supplemental materials, and (c) records of intervention and progress monitoring indicating appropriate instructional adjustments based on child data.</p> <p>For a child three to five years old, who is not yet enrolled in kindergarten, teams should consider "appropriate instruction" as the child's participation in appropriate activities. This evidence may come from interviews with family and other caregivers and through observation in the child's natural environment that indicates whether or not the child has been exposed to activities appropriate for his/her age.</p>

<ul style="list-style-type: none"> <li>Lack of appropriate instruction in math; or</li> </ul>	<p>Evidence shows that the child’s previous math instruction and curriculum addressed math calculation, problem solving, and conceptual understanding. This evidence may come from; (a) an evaluation of the school’s core/tier 1 curriculum and supplemental materials, (b) that the child actually received instruction provided by highly qualified teachers using appropriate core/tier 1 curriculum and supplemental materials, and (c) records of intervention and progress monitoring indicating appropriate instructional adjustments based on child data.</p> <p>For a child three to five years old, who is not yet enrolled in kindergarten, teams should consider “appropriate instruction” as the child’s participation in appropriate activities. This evidence may come from interviews with family and other caregivers and through observation in the child’s natural environment that indicates whether or not the child has been exposed to activities appropriate for his/her age.</p>
<ul style="list-style-type: none"> <li>Limited English proficiency;</li> </ul>	<p>If the child being evaluated is an English Learner, show evidence that the child was provided with appropriate accommodations and interventions to address it. Consider things such as proficiency in English and in the child’s native language, amount of time in the country, level of education in the child’s native country, etc. Also consider whether the child’s rate of learning is different from those of similar language background and educational experience. If, in spite of appropriate accommodations and interventions, the child’s learning difficulties persist, this factor is ruled out.</p>
<ul style="list-style-type: none"> <li>and the child does not otherwise meet the eligibility criteria as a child with an exceptionality</li> </ul>	<p>Evidence shows that the child’s learning difficulties are not due to factors other than those associated with the criteria for disabilities as defined in IDEA. For example, frequent moves, incarceration, substance abuse, chronic absenteeism, etc.</p>
<ul style="list-style-type: none"> <li>The term shall not apply if a child's educational performance is adversely affected primarily because the child has an emotional disturbance.</li> </ul>	<p>The co-morbidity of autism and other types of disabilities must be recognized, especially mental health. If there is a co-occurrence of indicators for both autism and emotional disturbance, the team must determine which is the primary [principal] impact on the child’s educational performance, autism or emotional disturbance.</p> <p>In making an identification decision, knowing that indicators from both disabilities may exist, it is the responsibility of the team to make the determination of which disability area is the primary [principal] cause of the adverse effect on the child’s performance and identify disability(ies) accordingly.</p>

## Prong 1: Does the child exhibit an exceptionality?

### Indicators

For meeting this prong of eligibility, the team must consider information and have data to support at least 1 indicator from each of the following numbered categories:

1. Evidence of a developmental disability significantly affecting verbal communication
  - Measures, record reviews, interviews, and/or observations indicate child's skills in verbal communication are significantly different from peers.
  - Abnormal volume, pitch, intonation, rate, rhythm, stress, prosody
  - Limited ability to convey a range of emotions via words
2. Evidence of a developmental disability significantly affecting nonverbal communication
  - Measures, record reviews, interviews, and/or observations indicate child's skills in nonverbal communication are significantly different from peers.
  - Impairments in social use of eye contact
  - Impairment in the use and understanding of body postures and gestures
  - Limited ability to convey a range of emotions via expressions, tone of voice, gestures
  - Inability to coordinate eye contact or body language with words or gestures
3. Evidence of a developmental disability significantly affecting social interaction
  - Measures, record reviews, interviews, and/or observations indicate child's skills in social interaction are significantly different from peers.
  - Abnormal social approaches
  - Failure of normal back and forth conversation
  - Reduced sharing of interests, emotions/affect
  - Lack of initiation of social interaction
  - Poor social imitation
  - Inability to take another person's perspective (for children with a chronological age above 4 years)
  - Difficulties adjusting behavior to social contexts
  - Difficulties in sharing imaginative play
  - Difficulties in making friends
  - Absence of interest in others
4. Evidence of adverse effect on educational performance
  - Measures, record reviews, interviews and/or observations indicate that the child's condition adversely impacts his/her educational performance.

### Other Supporting Information

- Measures, record reviews, interviews, and/or observations provide information which substantiates child characteristics such as engagement in repetitive activities and stereotyped movements; resistance to environmental change or change in daily routines; and unusual responses to sensory experiences which are significantly different than peers.
- Records contain medical information or a *Diagnostic and Statistical Manual of Mental Disorders (DSM)* diagnosis (by appropriately trained and qualified diagnostician) that substantiates the elements of the Kansas definition. A diagnosis should be considered as supporting information. However, a diagnosis is not required, nor necessarily determinative, in eligibility decisions.

**Prong 2: Does the child need special education [specially designed instruction] and related services?**

Indicators

- Progress monitoring data indicate intense or sustained resources needed in order for child to demonstrate adequate progress.
- Despite modifications of instruction, curriculum, and environment, the child does not make sufficient progress to meet age or state-approved grade-level standards in one or more areas.
- Progress monitoring data show that the child's behavior of concern is resistant to targeted supplemental and intensive interventions to address communication, social interaction, and/or academic skills.
- Progress monitoring data of increasingly customized and individually tailored instruction and intervention indicate that the child needs specially designed instruction to access the general curriculum.
- The interventions needed to obtain an adequate level of performance or adequate learning rate are too demanding to be implemented with integrity without special education and related services.
- Despite implementation of intensive interventions, which include purposeful instructional design and delivery, prioritized content, protected time and grouping, and performance monitoring, the child does not make sufficient progress to meet age or state-approved grade-level standards in one or more areas.

For a child three to five years old, who is not yet enrolled in kindergarten

- Data indicate that a need for intense or sustained resources exists across settings, people, or situations.
- Data indicate that the disability has a substantial negative impact on the child's ability to participate in age appropriate activities.

## Developmental Delay (age 9 and younger)

### **KAR 91-40-1**

(q) "Developmental delay" means such a deviation from average development in one or more of the following developmental areas that special education and related services are required:

- (A) Physical;
- (B) cognitive;
- (C) adaptive behavior;
- (D) communication; or,
- (E) social or emotional development

The deviation from average development shall be documented and measured by appropriate diagnostic instruments and procedures.

Exclusionary Criteria:

**A child must NOT be determined to be a child with an exceptionality if the determinant factor is:**

Exclusionary Factor	How to Evaluate
<ul style="list-style-type: none"><li>• Lack of appropriate instruction in reading, including the essential components of reading instruction (defined in section 9215(c) of ESEA);</li></ul>	<p>Evidence shows that the child's previous reading instruction and curriculum included explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency (including oral reading skills), and reading comprehension strategies. This evidence may come from; (a) an evaluation of the school's ELA core/tier 1 curriculum and supplemental materials, (b) that the child actually received instruction provided by highly qualified teachers using appropriate ELA core/tier 1 curriculum and supplemental materials, and (c) records of intervention and progress monitoring indicating appropriate instructional adjustments based on child data.</p> <p>For a child three to five years old, who is not yet enrolled in kindergarten, teams should consider "appropriate instruction" as the child's participation in appropriate activities. This evidence may come from interviews with family and other caregivers and through observation in the child's natural environment that indicates whether or not the child has been exposed to activities appropriate for his/her age.</p>

<ul style="list-style-type: none"> <li>Lack of appropriate instruction in math; or</li> </ul>	<p>Evidence shows that the child’s previous math instruction and curriculum addressed math calculation, problem solving, and conceptual understanding. This evidence may come from; (a) an evaluation of the school’s core/tier 1 curriculum and supplemental materials, (b) that the child actually received instruction provided by highly qualified teachers using appropriate core/tier 1 curriculum and supplemental materials, and (c) records of intervention and progress monitoring indicating appropriate instructional adjustments based on child data.</p> <p>For a child three to five years old, who is not yet enrolled in kindergarten, teams should consider “appropriate instruction” as the child’s participation in appropriate activities. This evidence may come from interviews with family and other caregivers and through observation in the child’s natural environment that indicates whether or not the child has been exposed to activities appropriate for his/her age.</p>
<ul style="list-style-type: none"> <li>Limited English proficiency;</li> </ul>	<p>If the child being evaluated is an English Learner, show evidence that the child was provided with appropriate accommodations and interventions to address it. Consider things such as proficiency in English and in the child’s native language, amount of time in the country, level of education in the child’s native country, etc. Also consider whether the child’s rate of learning is different from those of similar language background and educational experience. If, in spite of appropriate accommodations and interventions, the child’s learning difficulties persist, this factor is ruled out.</p>
<ul style="list-style-type: none"> <li>and the child does not otherwise meet the eligibility criteria as a child with an exceptionality</li> </ul>	<p>Evidence shows that the child’s learning difficulties are not due to factors other than those associated with the criteria for disabilities as defined in IDEA. For example, frequent moves, chronic absenteeism, etc.</p>

**Prong 1: Does the child exhibit an exceptionality?**

Indicators

For meeting this prong of eligibility, the team must consider information and have data to support at least 1 indicator from each of the following numbered categories:

1. Records indicate child is age 9 or under.
2. Performance is significantly below developmental expectations on a criterion referenced instrument in one or more developmental areas. The developmental areas include: (1) Physical; (2) cognitive; (3) adaptive behavior; (4) communication; or (5) social or emotional development.
  - Progress monitoring data displayed on charts or graphs show low rate of growth in educational performance despite provision of increasingly intense, explicit and systematic instructional interventions.
  - Performance is significantly below normative sample on a standardized assessment in one or more developmental areas.
  - Performance is significantly lower than peers on one or more benchmark assessments, curricular objectives, or state assessments.
  - Measures, record reviews, interviews, and/or observations demonstrate significant deviation from average development in one or more developmental areas.

For a child three to five years old, who is not yet enrolled in kindergarten:

- Measures, record reviews, interviews, and/or observations demonstrate significant deviation from average development in one or more developmental areas.
- Performance is significantly below normative sample on a standardized assessment in one or more developmental areas.
- Performance is significantly lower than peers on one or more curriculum based assessment, criterion referenced assessment, and/or performance assessment.

## Prong 2: Does the child need special education [specially designed instruction] and related services?

### Indicators

- Progress monitoring data indicate intense or sustained resources needed in order for child to:
  - physically negotiate and manipulate the environment, or
  - understand age appropriate information, reason, and solve problems, or
  - exhibit developmentally appropriate adaptive skills, such as self-care, home living, community use, self-direction, health and safety, and functional academics, or
  - convey and comprehend communication and social intent, or
  - positively impact relationships with peers and adults, or
  - initiate, respond to, and maintain positive social relationships, or
  - meet behavioral expectations (e.g., following directions, rules, and routines).
- Despite modifications of instruction, curriculum, and environment, the child does not make sufficient progress to meet age or state-approved grade-level standards in one or more developmental areas.
- Progress monitoring data show low rate of growth in areas of concern despite provision of increasingly intense, explicit instructional interventions to address communication, social interaction, and/or academic skills.
- Progress monitoring data of increasingly customized and individually tailored instruction and intervention indicate that the child needs specially designed instruction to access the general curriculum.
- The interventions needed to obtain an adequate level of performance or adequate learning rate are too demanding to be implemented with integrity without special education and related services.
- Despite implementation of intensive interventions, which include purposeful instructional design and delivery, prioritized content, protected time and grouping, and performance monitoring, the child does not make sufficient progress to meet age or state-approved grade-level standards in one or more areas.

For a child three to five years old, who is not yet enrolled in kindergarten

- Data collected through interviews with caregivers, observations in the natural environment, and assessments indicates intense or sustained resources needed in order for child to:
  - physically negotiate and manipulate the environment, or
  - understand age appropriate information, reason, and solve problems, or
  - exhibit developmentally appropriate adaptive skills such as self-care, home living, community use, self-direction, health and safety, and functional academics, or
  - convey and comprehend communication and social intent, or
  - positively impact relationships with peers and adults, or
  - initiate, respond to, and maintain positive social relationships, or
  - meet behavioral expectations (e.g., following directions, rules, and routines).
- Data indicate that a need for intense or sustained resources exists across settings, people, or situations.
- Despite extra support, the child continues to make minimal or no progress.
- Data indicate that the disability has a substantial negative impact on the child's ability to participate in age appropriate activities.

# Emotional Disturbance

## **KAR 91-40-1**

(v) "Emotional disturbance" means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance:

- (1) An inability to learn that cannot be explained by intellectual, sensory, or health factors;
- (2) an inability to build or maintain satisfactory interpersonal relationships with peers and teachers;
- (3) inappropriate types of behavior or feelings under normal circumstances;
- (4) a general pervasive mood of unhappiness or depression; or
- (5) a tendency to develop physical symptoms or fears associated with personal or school problems.

The term includes schizophrenia, but shall not apply to children who are socially maladjusted, unless it is determined that they have an emotional disturbance.

Note: K.S.A. 72-3404(ff) states: "Emotional disability" means the same as the term "emotional disturbance" is used in public law 101-476, the individuals with disabilities education act." In this document, KAR citations that include emotional disturbance will continue to do so until KARs are updated.

### **Exclusionary Criteria:**

A child must NOT be determined to be a child with an exceptionality if the determinant factor is:

Exclusionary Factor	How to Evaluate
<ul style="list-style-type: none"><li>• Lack of appropriate instruction in reading, including the essential components of reading instruction (defined in section 9215(c) of ESEA);</li></ul>	<p>Evidence shows that the child's previous reading instruction and curriculum included explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency (including oral reading skills), and reading comprehension strategies. This evidence may come from; (a) an evaluation of the school's ELA core/tier 1 curriculum and supplemental materials, (b) that the child actually received instruction provided by highly qualified teachers using appropriate ELA core/tier 1 curriculum and supplemental materials, and (c) records of intervention and progress monitoring data indicating appropriate instructional adjustments based on child data.</p> <p>For a child three to five years old, who is not yet enrolled in kindergarten, teams should consider "appropriate instruction" as the child's participation in appropriate activities. This evidence may come from interviews with family and other caregivers and through observations in the child's natural environment that indicate whether or not the child has been exposed to activities appropriate for his/her age.</p>

<ul style="list-style-type: none"> <li>• Lack of appropriate instruction in math; or</li> </ul>	<p>Evidence shows that the child’s previous math instruction and curriculum addressed math calculation, problem solving, and conceptual understanding. This evidence may come from; (a) an evaluation of the school’s core/tier 1 curriculum and supplemental materials, (b) that the child actually received instruction provided by highly qualified teachers using appropriate core/tier 1 curriculum and supplemental materials, and (c) records of intervention and progress monitoring data indicating appropriate instructional adjustments based on child data.</p> <p>For a child three to five years old, who is not yet enrolled in kindergarten, teams should consider “appropriate instruction” as the child’s participation in appropriate activities. This evidence may come from interviews with family and other caregivers and through observations in the child’s natural environment that indicate whether or not the child has been exposed to activities appropriate for his/her age.</p>
<ul style="list-style-type: none"> <li>• Limited English proficiency;</li> </ul>	<p>If the child being evaluated is an English Learner, show evidence that the child was provided with appropriate accommodations and interventions to address it. Consider things such as proficiency in English and in the child’s native language, amount of time in the country, level of education in the child’s native country, etc. Also, consider whether the child’s rate of learning is different from those of similar language background and educational experience. If, in spite of appropriate accommodations and interventions, the child’s learning difficulties persist, this factor is ruled out.</p>
<ul style="list-style-type: none"> <li>• and the child does not otherwise meet the eligibility criteria as a child with an exceptionality.</li> </ul>	<p>Evidence shows that the child’s learning difficulties are due to factors other than those associated with the criteria for disabilities as defined in IDEA. For example, frequent moves, incarceration, substance abuse, chronic absenteeism, etc.</p>
<ul style="list-style-type: none"> <li>• The child may not be socially maladjusted, unless it is determined that he/she also has an emotional disturbance.</li> </ul>	<p>Courts have interpreted social maladjustment to mean a conduct disorder. Teams should review records to rule out that the child has been identified as a child having a conduct disorder, unless other evidence that the child also has an emotional disturbance exists.</p>

**Prong 1: Does the child exhibit an exceptionality?**

Indicators

For meeting this prong of eligibility the team must consider information and have data to support at least 1 indicator from each of the following numbered categories:

1. Characteristics of Emotional Disturbance/Disability.

- Measures, record reviews, interviews, and/or observations indicate levels of physical symptoms or fears which are different from peers and are correlated with school problems.
- Measures, record reviews, interviews, and/or observations indicate child exhibits inappropriate behaviors or feelings under normal circumstances.
- Measures, record reviews, interviews, and/or observations indicate an inability to build or maintain satisfactory interpersonal relationships with peers and teachers.
- Measures, record reviews, interviews, and/or observations indicate a pervasive mood of unhappiness or depression.

2. Evidence that characteristics have been exhibited over a long period of time.

- Measures, record reviews, interviews, and/or observations indicate that emotional difficulties have been exhibited over a long period of time.

3. Evidence that characteristics are exhibited to marked degree.

- Measures indicate behavioral and emotional characteristics are exhibited to a marked degree when compared to peers.

4. Evidence that behavior adversely affects educational performance.

- Measures, record reviews, interviews, and/or observations indicate that emotional characteristics are adversely affecting the child's educational performance. Educational performance includes academic performance as well as the ability to function within the learning environment such as appropriate participation in large group, small group, or individual learning settings.
- Measures, record reviews, interviews, and/or observations indicate an inability to learn that cannot be explained by intellectual, sensory, or health factors.
- Progress monitoring data displayed on charts or graphs show low rate of growth in educational performance despite provision of increasingly intense, explicit and systematic instructional interventions.

Other Supporting Information

Records document a *Diagnostic and Statistical Manual of Mental Disorders (DSM)* diagnosis (by appropriately trained and qualified diagnostician) that substantiates the elements of the Kansas definition. A medical diagnosis should be considered as supporting information. However, a diagnosis is not required, nor necessarily determinative, in eligibility decisions.

## Prong 2: Does the child need special education [specially designed instruction] and related services?

### Indicators

- Progress monitoring data indicate intense or sustained resources are needed in order for child to demonstrate adequate progress.
- Despite modifications of instruction, curriculum, and environment, the child does not make sufficient progress to meet age or state-approved grade-level standards in one or more areas.
- Modifications of instruction, curriculum, and the environment have not adequately addressed the behaviors, feelings, relationships, moods, fears, or physical symptoms that adversely affect the child's educational performance.
- Progress monitoring data displayed on charts or graphs show low rate of improvement in the behavior of concern despite provision of increasingly intense, explicit and systematic instructional interventions.
- The interventions needed to obtain an adequate level of performance or adequate learning rate are too demanding to be implemented with integrity without special education and related services.
- Progress monitoring data of increasingly customized and individually tailored instruction and intervention indicate that the child needs specially designed instruction to access the general curriculum.

For a child three to five years old, who is not yet enrolled in kindergarten

- Data indicate that a need for intense or sustained resources exists across settings, people, or situations.
- Data indicate that the disability has a substantial negative impact on the child's ability to participate in age appropriate activities.

# Gifted

## ***KAR 91-40-1***

(bb) "Gifted" means performing or demonstrating the potential for performing at significantly higher levels of accomplishment in one or more academic fields due to intellectual ability, when compared to others of similar age, experience and environment.

### Exclusionary Criteria:

<ul style="list-style-type: none"><li>The child must be school age.</li></ul>	For children identified as gifted, having attained the age at which the local board of education provides educational services to children without disabilities, through the school year in which the child graduates from high school (K.A.R. 91-40-1(ddd)). To be identified as gifted the student must be at least 5 years old and not have graduated from high school.
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## Prong 1: Does the child exhibit an exceptionality?

### Indicators

For meeting this prong of eligibility, the team must consider information and have data to support at least 1 indicator from each of the following numbered categories:

1. Evidence of performing or demonstrating the potential for performing at significantly higher levels of accomplishment in one or more academic fields
  - Measures, record reviews, interviews, and/or observations indicate child demonstrates superior reasoning and problem solving ability.
  - Progress monitoring indicates child's skill level in one or more academic areas is much above that of peers.
  - Grade Point Average, classroom assessments, portfolios, or rubrics indicate significant excellence in academics.
  - District, state, and national assessments indicate significant excellence in academics.
  - A rank of not less than the 95th percentile on national norms on a standardized, norm-referenced achievement test in one or more of the academic fields (mathematics, language arts (including reading), science, and social science), or evidence that such test scores do not adequately reflect the child's excellence in academics. Consider things such as proficiency in English and in the child's native language, amount of time in the country, level of education in the child's native country, etc. Also consider whether the child's rate of learning is different from those of similar language background and educational experience.
  - College entrance exams indicate significant excellence in academics.
  - Pre-tests consistently indicate child has already mastered end of unit/curricular objectives prior to instruction.
2. Evidence of being due to intellectual ability
  - Measures, record reviews, interviews, and/or observations indicate child shows persistent intellectual curiosity and asks searching questions.
  - Measures, record reviews, interviews, and/or observations indicate child shows initiative and originality in intellectual work.
  - Ease of task completion indicates a significantly high level of intellectual ability.
  - Rate of acquisition and retention indicate a significantly high level of intellectual ability.
  - Products from home or school indicate a significantly high level of intellectual ability.
  - A composite rank of not less than the 97th percentile on an individually administered, standardized, norm-referenced test of intellectual ability, or evidence that the child's standardized, intelligence test score does not adequately reflect the child's high intellectual potential. Consider things such as proficiency in English and in the child's native language, amount of time in the country, level of education in the child's native country, etc. Also consider whether the child's rate of learning is different from those of similar language background and educational experience.
3. Evidenced that when compared to others of similar age, experience and environment
  - Multiple characteristics of giftedness exhibited when interventions provide adaptations, enrichment, or acceleration as compared to peers, with consideration given to cultural or linguistic differences.
  - Persistence to task and generalization of knowledge gained indicate a remarkably high level of accomplishment.
  - Coursework analysis indicates a significantly high level of intellectual ability and excellence in academics when provided with interventions.
  - Performance significantly higher than peers in one or more areas on benchmark assessments, curricular objectives, or state assessments, with consideration given to cultural or linguistic differences.

**Prong 2: Does the child need special education [specially designed instruction] and related services?**

Indicators
<ul style="list-style-type: none"><li>• Progress monitoring data indicate intense or sustained resources needed in order for child to demonstrate appropriate progress.</li><li>• Evidence of mastery of successive levels of instructional objectives or course requirements indicates the need for intensive adaptations or acceleration.</li><li>• Progress monitoring data show that differentiated instruction and targeted interventions are insufficient for child to demonstrate appropriate progress.</li><li>• Progress monitoring data of increasingly customized and individually tailored instruction and intervention indicate that the child needs specially designed instruction to access the general curriculum at appropriate levels of instruction.</li><li>• Intensive changes or modifications needed in instruction, curriculum, grouping, assignments, etc. for the child to demonstrate appropriate progress.</li><li>• Evidence of child's frustration with enriched instructional environments indicates the need for intensive adaptations or acceleration.</li><li>• General education interventions such as alternative course selections or cross-age grouping are insufficient to support the child's progress.</li><li>• Evidence of anxiety, perfectionism, over-commitment of time, social isolation, or other characteristics related to giftedness indicates the need for intensive instructional or emotional supports.</li></ul>

***NOTE:***

A child may be found eligible as having both giftedness as defined by KAR 91-40-1 and as having a disability area under IDEA. The child must meet the eligibility criteria for both the disability and giftedness. If a child is identified for both gifted and a disability, the disability should be entered as the primary exceptionality in the MIS system.

Children who are identified as both a child with a disability and gifted may receive any related services for which there is a documented need. Children identified only as gifted may receive only the related services of counseling services, parent counseling, school psychological services, school social work services, and transportation. Even if the child shows a weakness in an area (such as written language), the child cannot be provided with a related service to address the weakness unless the child meets the eligibility criteria for a disability under IDEA.

# Intellectual Disability

## **KAR 91-40-1**

(oo) "Intellectual Disability" means significantly sub-average general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period, which adversely affects a child's educational performance.

### Exclusionary Criteria:

A child must NOT be determined to be a child with an exceptionality if the determinant factor is:

Exclusionary Factor	How to Evaluate
<ul style="list-style-type: none"><li>Lack of appropriate instruction in reading, including the essential components of reading instruction (defined in 9215(c) of ESEA);</li></ul>	<p>Evidence shows that the child's previous reading instruction and curriculum included explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency (including oral reading skills), and reading comprehension strategies. This evidence may come from; (a) an evaluation of the school's ELA core/tier 1 curriculum and supplemental materials, (b) that the child actually received instruction provided by highly qualified teachers using appropriate ELA core/tier 1 curriculum and supplemental materials, and (c) records of intervention and progress monitoring indicating appropriate instructional adjustments based on child data.</p> <p>For a child three to five years old, who is not yet enrolled in kindergarten, teams should consider "appropriate instruction" as the child's participation in appropriate activities. This evidence may come from interviews with family and other caregivers and through observation in the child's natural environment that indicates whether or not the child has been exposed to activities appropriate for his/her age.</p>
<ul style="list-style-type: none"><li>Lack of appropriate instruction in math; or</li></ul>	<p>Evidence shows that the child's previous math instruction and curriculum addressed math calculation, problem solving, and conceptual understanding. This evidence may come from; (a) an evaluation of the school's core/tier 1 curriculum and supplemental materials, (b) that the child actually received instruction provided by highly qualified teachers using appropriate core/tier 1 curriculum and supplemental materials, and (c) records of intervention and progress monitoring indicating appropriate instructional adjustments based on child data.</p> <p>For a child three to five years old, who is not yet enrolled in kindergarten, teams should consider "appropriate instruction" as the child's participation in appropriate activities. This evidence may come from interviews with family and other caregivers and through observation in the child's natural environment that indicates whether or not the child has been exposed to activities appropriate for his/her age.</p>
<ul style="list-style-type: none"><li>Limited English proficiency; and</li></ul>	<p>If the child being evaluated is an English Learner, show evidence that the child was provided with appropriate accommodations and interventions to address it. Consider things such as proficiency in English and in the child's native language, amount of time in the country, level of education in the child's native country, etc. Also consider whether the child's rate of learning is different from those of similar language background and educational experience. If, in spite of appropriate accommodations and interventions, the child's learning difficulties persist, this factor is ruled out.</p>

<ul style="list-style-type: none"> <li>the child does not otherwise meet the eligibility criteria as a child with an exceptionality</li> </ul>	<p>Evidence shows that the child’s learning difficulties are due to factors other than those associated with the criteria for disabilities as defined in IDEA. For example, frequent moves, incarceration, substance abuse, chronic absenteeism, etc.</p>
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**Prong 1: Does the child exhibit an exceptionality?**

<p>Indicators</p>
<p>For meeting this prong of eligibility, the team must consider information and have data to support at least 1 indicator from each of the following numbered categories:</p>
<ol style="list-style-type: none"> <li>Information relating to sub-average general intellectual functioning <ul style="list-style-type: none"> <li>Rate of learning, as measured by progress monitoring, is markedly different from peers.</li> <li>Child’s score is significantly below the mean on an individually administered, standardized, norm-referenced test of intellectual ability, with consideration given to cultural or linguistic differences.</li> </ul> </li> <li>Information related to deficits in adaptive behavior <ul style="list-style-type: none"> <li>Measures, records, interviews, and/or observations indicate significant deficits across adaptive behavior areas, such as conceptual skills, social skills, and practical skills, with consideration given to cultural or linguistic differences.</li> </ul> </li> <li>Information related to initial occurrence during the developmental period <ul style="list-style-type: none"> <li>Measures, records and/or interviews indicate deficits in adaptive behavior and low intellectual functioning were manifested during the developmental period.</li> <li>Measures, records, interviews, and/or observations indicate adaptive behavior deficits have occurred over an extended period of time.</li> </ul> </li> <li>Evidence of Adverse Effects on Educational Performance <ul style="list-style-type: none"> <li>Measures, records, interviews, and/or observations indicate child’s level of educational performance has been significantly below age or state-approved grade level standards.</li> <li>Performance is significantly below age or state-approved grade level standards when measured on benchmark assessments, curricular objectives, or state assessments.</li> <li>Measures of academic achievement indicate significant delays across subject areas, with consideration given to cultural or linguistic differences.</li> </ul> </li> </ol>
<p>Other Supporting Information</p> <p>Record reviews show <i>Diagnostic and Statistical Manual of Mental Disorders (DSM)</i> diagnosis (by clinical psychologist or other appropriately trained and qualified diagnostician) that substantiates the elements of the Kansas definition. A medical diagnosis should be considered as supporting information. However, a diagnosis is not required, nor necessarily determinative, in eligibility decisions.</p>

**Prong 2: Does the child need special education [specially designed instruction] and related services?**

Indicators

- Despite modifications in instruction, curriculum and environment, child's rate of learning is significantly less than peers.
- Despite modifications in instruction, curriculum and environment, child's educational performance in various age appropriate environments is significantly below age or state-approved grade level standards.
- Despite modifications in instruction, curriculum and environment, child's adaptive behavior skills in various age appropriate environments is significantly delayed from peers.
- Despite modifications of instruction, curriculum, and environment, the child does not make sufficient progress to meet age or state-approved grade-level standards across curricular areas.
- Progress monitoring data displayed on charts or graphs show low rate of growth in educational performance despite provision of increasingly intense, explicit instructional interventions.
- Progress monitoring data of increasingly customized and individually tailored instruction and intervention indicate that the child needs specially designed instruction to access the general curriculum.
- The interventions needed to obtain an adequate level of performance or adequate learning rate are too demanding to be implemented with integrity without special education and related services.
- Despite implementation of intensive interventions, which include purposeful instructional design and delivery, prioritized content, protected time and grouping, and performance monitoring, the child does not make sufficient progress to meet age or state-approved grade-level standards in one or more areas.

For a child three to five years old, who is not yet enrolled in kindergarten.

- Data indicate that a need for intense or sustained resources exists across settings, people, or situations.
- Data indicate that the disability has a substantial negative impact on the child's ability to participate in age appropriate activities.

# Learning Disability

## **KAR 91-40-1**

(mmm) "Specific learning disability" means a disorder in one of more of the basic psychological processes involved in understanding or using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term shall not include learning problems that are primarily the result of any of the following: (1) Visual, hearing, or motor, disabilities; (2) Intellectual Disability; (3) emotional disturbance; or (4) environmental, cultural, or economic disadvantage.

## **KAR 91-40-11**

(b)(1) A group evaluating a child for a specific learning disability may determine that the child has such a disability only if the following conditions are met:

(A) The child does not achieve adequately for the child's age or meet state-approved grade-level standards, if any, in one or more of the following areas, when the child is provided with learning experiences and instruction appropriate for the child's age and grade level: (i) Oral expression; (ii) listening comprehension; (iii) written expression; (iv) basic reading skill;

(v) reading fluency skills; (vi) reading comprehension; (vii) mathematics calculation; and (viii) mathematics problem solving; and

(B)(i) The child does not make sufficient progress to meet age or state-approved grade level standards in one of more of the areas identified in paragraph (b)(1)(A) when using a process based on the child's response to scientific, research-based intervention; or (ii) the child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, grade level standards, or intellectual development that is determined by the group conducting the evaluation to be relevant to the identification of a specific learning disability, using appropriate assessments.

### Dyslexia

The IDEA as well as Kansas statute (K.S.A. 2022 Supp. 72-3404) and regulations recognize dyslexia as a disability as stated within the definition of Specific Learning Disability.

### Dyslexia Definition\*

Dyslexia is a specific learning disability that is neurological in origin. It is characterized by difficulties with accurate and/or fluent word recognition and by poor spelling and decoding abilities. These difficulties typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction. Secondary consequences may include problems in reading comprehension and reduced reading experience that can impede the growth of vocabulary and background knowledge.

\*Adopted by the International Dyslexia Association Board of Directors, November 12, 2002, and the Kansas State Board of Education, November 2020.

### Exclusionary Criteria:

A child must NOT be determined to be a child with an exceptionality if the determinant factor is:

Exclusionary Factor	How to Evaluate
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<ul style="list-style-type: none"> <li>Lack of appropriate instruction in reading, including the essential components of reading instruction (defined in section 9215(c) of ESEA);</li> </ul>	<p>Evidence shows that the child’s previous reading instruction and curriculum included explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency including oral reading skills and reading comprehension strategies. This evidence may come from; (a) an evaluation of the school’s ELA core/tier 1 curriculum and supplemental materials [<a href="#">The Reading League Curriculum Evaluation Guidelines</a>], (b) that the child actually received instruction provided by highly qualified teachers using appropriate ELA core/tier 1 curriculum and supplemental materials, and (c) records of intervention and progress monitoring indicating appropriate instructional adjustments based on child data.</p> <p>For a child three to five years old, who is not yet enrolled in kindergarten, teams should consider “appropriate instruction” as the child’s participation in appropriate activities. This evidence may come from interviews with family and other caregivers and through observation in the child’s natural environment that indicates whether or not the child has been exposed to activities appropriate for his/her age.</p>
<ul style="list-style-type: none"> <li>Lack of appropriate instruction in math; or</li> </ul>	<p>Evidence shows that the child’s previous math instruction and curriculum addressed math calculation, problem solving, and conceptual understanding. This evidence may come from; (a) an evaluation of the school’s core/tier 1 curriculum and supplemental materials, (b) that the child actually received instruction provided by highly qualified teachers using appropriate core/tier 1 curriculum and supplemental materials, and (c) records of intervention and progress monitoring indicating appropriate instructional adjustments based on child data.</p> <p>For a child three to five years old, who is not yet enrolled in kindergarten, teams should consider “appropriate instruction” as the child’s participation in appropriate activities. This evidence may come from interviews with family and other caregivers and through observation in the child’s natural environment that indicates whether or not the child has been exposed to activities appropriate for his/her age.</p>
<ul style="list-style-type: none"> <li>Limited English proficiency;</li> </ul>	<p>If the child being evaluated is an English Learner, show evidence that the child was provided with appropriate accommodations and interventions to address it. Consider things such as proficiency in English and in the child’s native language, amount of time in the country, level of education in the child’s native country, etc. Also consider whether the child’s rate of learning is different from those of similar language background and educational experience. If, in spite of appropriate accommodations and interventions, the child’s learning difficulties persist, this factor is ruled out.</p>
<ul style="list-style-type: none"> <li>and the child does not otherwise meet the eligibility criteria as a child with an exceptionality</li> </ul>	<p>Evidence shows that the child’s learning difficulties are due to factors other than those associated with the criteria for disabilities as defined in IDEA. For example, frequent moves, incarceration, substance abuse, chronic absenteeism, etc.</p>

The determinant factor for why the child does not achieve adequately for the child's age or does not make sufficient progress to meet age or State-approved grade level standards, or exhibits a pattern of strengths and weaknesses, is not primarily the result of:

- A visual, hearing or motor disability;
- emotional disturbance;
- cultural factors;
- environmental or economic disadvantage;
- limited English proficiency; or
- intellectual disability

Evidence shows that child information does not match indicators for visual, hearing, or motor disability, intellectual disability, or emotional disturbance indicating the presence of another disability is not the primary cause of learning problems. However, it should be recognized that learning disabilities can co-exist with other types of disabilities (i.e., co-morbidity).

If any other factors (cultural, environmental or economic disadvantage, or limited English proficiency) are an issue for the child being evaluated, provide evidence that the child was provided with appropriate accommodations and interventions to address them. If, in spite of appropriate accommodations and interventions, the child's learning difficulties persist, these factors are ruled out as the primary cause.

**Prong 1: Does the child exhibit an exceptionality (Learning Disability)?**

Indicators
For meeting this prong of eligibility, the team must consider information and have data to support at least 1 indicator from each of the following numbered categories:
<ol style="list-style-type: none"><li>1. Observational Data<ul style="list-style-type: none"><li>• Observation in the child’s learning environment (which must include the general education classroom) provides evidence of the child’s performance and behavior in the area of difficulty. [Note: This is required for all evaluations of children suspected of having a learning disability.]</li></ul></li><li>2. The child does not achieve adequately for the child's age or meet state-approved grade-level standards.<ul style="list-style-type: none"><li>• Progress monitoring data indicates the child exhibits both a (1) low level of performance (after appropriate interventions) when compared to peers and (2) low rate of growth/rate of improvement (after appropriate interventions) when compared to peers.</li><li>• Data indicates a pattern that show a consistent weakness in a process related to the achievement delay and a relative strength in a process unrelated to the achievement delay.</li><li>• Measures of achievement in basic reading skills, reading fluency skills, and/or reading comprehension is significantly below age or state-approved grade level standards.</li><li>• Measures of achievement in math calculation or math problem-solving are significantly below age or state- approved grade level standards.</li><li>• Measures of achievement in written expression are significantly below age or state-approved grade level standards.</li><li>• Measures of oral expression and/or listening comprehension indicate child performance is significantly below age or state-approved grade level standards.</li><li>• Interviews indicate child demonstrates a high level of understanding during oral discussions but lacks mastery of basic skills.</li><li>• Performance is significantly below age or state-approved grade level standards on one or more benchmark assessments, curricular objectives, or state assessments.</li></ul></li><li>3. Evidence of provision of learning experiences and instruction appropriate for the child's age and grade level.<ul style="list-style-type: none"><li>• Records of intervention indicate appropriate instructional decisions based on child data.</li><li>• Progress monitoring data displayed on charts or graphs show low rate of growth/improvement in at least one achievement domain despite provision of increasingly intense, explicit and systematic instructional interventions.</li></ul></li></ol> <p>Other Supporting Information</p> <p>Record reviews show <i>Diagnostic and Statistical Manual of Mental Disorders (DSM)</i> diagnosis (by an appropriately trained and qualified diagnostician) of learning disability or previous identification as having a learning disability or other diagnosis of perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, dyscalculia, dysgraphia, or developmental aphasia. A medical diagnosis should be considered as supporting information. However, a diagnosis is not required, nor necessarily determinative, in eligibility decisions.</p>

**Prong 1: Does the child exhibit an exceptionality (Learning Disability Specification of Dyslexia)?**

Indicators
For meeting this prong of eligibility, the team must consider information and have data to support at least 1 indicator from each of the following numbered categories:

1. Observational Data

- Observation in the child's learning environment (which must include the general education classroom) provides evidence of the child's performance and behavior in the areas of difficulties (accurate and/or fluent word recognition and by poor spelling and decoding abilities). [Note: This is required for all evaluations of children suspected of having a learning disability.]

2. The child does not achieve adequately for the child's age or meet state-approved grade-level standards.

- Progress monitoring data indicates the child exhibits both a (1) low level of performance (after targeted interventions) when compared to peers and (2) low rate of growth/rate of improvement (after targeted interventions) when compared to peers.
- Data indicates a pattern that show an unexpected weakness in a phonological process related to difficulties with accurate and/or fluent word recognition and by poor spelling and decoding abilities. These difficulties in phonological awareness are unexpected for the student's age and educational level.
- Measures of achievement in basic reading skills, reading fluency skills, and/or spelling is significantly below age or state-approved grade level standards.

3. Evidence of provision of structured literacy and evidence-based supplemental instruction (including the speech sound system (phonology), sound/symbol association, the writing system (orthography), the structure of sentences (syntax), the meaningful parts of words (morphology), the relationship among words (semantics), and the organization of spoken and written discourse) appropriate for the child's age and grade level.

- Records of intervention indicate appropriate instructional decisions based on child data.
- Progress monitoring data displayed on charts or graphs show low rate of growth/improvement in accurate and/or fluent word recognition and by poor spelling and decoding abilities despite provision of increasingly intense, explicit and systematic instructional interventions.

Other Supporting Information

Record reviews show dyslexia diagnosis by an appropriately trained and qualified licensed professional should be considered as supporting information. However, a diagnosis is not required, nor necessarily determinative, in eligibility decisions.

**Prong 2: Does the child need special education [specially designed instruction] and related services (all areas of Learning Disability including Dyslexia)?**

Indicators
<ul style="list-style-type: none"><li>• Progress monitoring data indicate intense or sustained resources needed in order for child to demonstrate adequate progress.</li><li>• Despite modifications of instruction, curriculum, and environment, the child does not make sufficient progress to meet age or state-approved grade-level standards in one or more areas.</li><li>• Despite modifications of instruction, curriculum, and environment, progress monitoring data show variability across academic performance areas.</li><li>• The interventions needed to obtain an adequate level of performance or adequate learning rate are too demanding to be implemented with integrity without special education and related services.</li><li>• Progress monitoring data of increasingly customized and individually tailored instruction and intervention indicate that the child needs specially designed instruction to access the general curriculum.</li><li>• Despite implementation of intensive interventions, which include purposeful instructional design and delivery, prioritized content, protected time and grouping, and performance monitoring, the child does not make sufficient progress to meet age or state-approved grade-level standards in one or more areas.</li></ul> <p>For a child three to five years old, who is not yet enrolled in kindergarten.</p> <ul style="list-style-type: none"><li>• Data indicate that a need for intense or sustained resources exists across settings, people, or situations.</li><li>• Data indicate that the disability has a substantial negative impact on the child’s ability to participate in age appropriate activities.</li></ul>

***NOTE:***

There is no requirement for the administration of any specific test, including intelligence tests, tests of psychological processes, or norm referenced tests of achievement in order to identify a child as a child with a learning disability. “The [U.S.] Department [of Education] does not believe that an assessment of psychological or cognitive processing should be required in determining whether a child has an SLD. There is no current evidence that such assessments are necessary or sufficient for identifying SLD.” Federal Register Vol 71, No. 156 / Monday August 14, 2006/ Rules and Regulations, page 46651.

KSDE’s guidance is that the use of IQ-Achievement Discrepancy to identify a child as a child with a learning disability is an inappropriate practice.

# Multiple Disabilities

## **KAR 91-40-1**

(pp) "Multiple disabilities" means coexisting impairments, the combination of which causes such severe educational needs that those needs cannot be accommodated in special education programs solely for one of the impairments. The term shall not include deaf-blindness.

### Exclusionary Criteria:

A child must NOT be determined to be a child with an exceptionality if the determinant factor is:

Exclusionary Factor	How to Evaluate
<ul style="list-style-type: none"><li>Lack of appropriate instruction in reading, including the essential components of reading instruction (defined in section 9215(c) of ESEA);</li></ul>	<p>Evidence shows that the child's previous reading instruction and curriculum included explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency (including oral reading skills), and reading comprehension strategies. This evidence may come from; (a) an evaluation of the school's ELA core/tier 1 curriculum and supplemental materials, (b) that the child actually received instruction provided by highly qualified teachers using appropriate ELA core/tier 1 curriculum and supplemental materials, and (c) records of intervention and progress monitoring indicating appropriate instructional adjustments based on child data.</p> <p>For a child three to five years old, who is not yet enrolled in kindergarten, teams should consider "appropriate instruction" as the child's participation in appropriate activities. This evidence may come from interviews with family and other caregivers and through observation in the child's natural environment that indicates whether or not the child has been exposed to activities appropriate for his/her age.</p>
<ul style="list-style-type: none"><li>Lack of appropriate instruction in math; or</li></ul>	<p>Evidence shows that the child's previous math instruction and curriculum addressed math calculation, problem solving, and conceptual understanding. This evidence may come from; (a) an evaluation of the school's core/tier 1 curriculum and supplemental materials, (b) that the child actually received instruction provided by highly qualified teachers using appropriate core/tier 1 curriculum and supplemental materials, and (c) records of intervention and progress monitoring indicating appropriate instructional adjustments based on child data.</p> <p>For a child three to five years old, who is not yet enrolled in kindergarten, teams should consider "appropriate instruction" as the child's participation in appropriate activities. This evidence may come from interviews with family and other caregivers and through observation in the child's natural environment that indicates whether or not the child has been exposed to activities appropriate for his/her age.</p>

<ul style="list-style-type: none"> <li>Limited English proficiency;</li> </ul>	<p>If the child being evaluated is an English Learner, show evidence that the child was provided with appropriate accommodations and interventions to address it. Consider things such as proficiency in English and in the child’s native language, amount of time in the country, level of education in the child’s native country, etc. Also consider whether the child’s rate of learning is different from those of similar language background and educational experience. If, in spite of appropriate accommodations and interventions, the child’s learning difficulties persist, this factor is ruled out.</p>
<ul style="list-style-type: none"> <li>and the child does not otherwise meet the eligibility criteria as a child with an exceptionality</li> </ul>	<p>Evidence shows that the child’s learning difficulties are due to factors other than those associated with the criteria for disabilities as defined in IDEA. For example, frequent moves, incarceration, substance abuse, chronic absenteeism, etc.</p>
<ul style="list-style-type: none"> <li>The term shall not apply if a child’s educational performance is adversely affected primarily because the child is a child with deaf-blindness</li> </ul>	<p>The team should rule out the presence of deaf-blindness. If the data the team collects match the indicators for deaf-blindness, the child should be identified as a child with deaf-blindness rather than a child with multiple disabilities.</p>

**Prong 1: Does the child exhibit an exceptionality?**

<p>Indicators</p>
<p>For meeting this prong of eligibility, the team must consider information and have data to support at least 1 indicator from each of the following numbered categories:</p>
<ol style="list-style-type: none"> <li>Evidence of co-existing impairments <ul style="list-style-type: none"> <li>Record review and/or Interviews indicate the presence of co-existing impairments.</li> </ul> </li> <li>Evidence that an educational program for solely one impairment is insufficient <ul style="list-style-type: none"> <li>Measures of educational performance indicate that the combination of which causes such severe educational needs that those needs cannot be accommodated in special education programs solely for one of the impairments.</li> </ul> </li> </ol>
<p>Other Supporting Information</p> <p>Records contain medical information which provides evidence of multiple disabilities.</p>

**Prong 2: Does the child need special education [specially designed instruction] and related services?**

Indicators

- Despite modifications in instruction, curriculum, and environment, child’s educational performance in various age appropriate environments is significantly delayed from peers.
- Despite modifications in instruction, curriculum, and environment, child’s adaptive behavior skills in various age appropriate environments is significantly delayed from peers.
- Despite modifications of instruction, curriculum, and environment, the child does not make sufficient progress to meet age or state-approved grade-level standards across curricular areas.
- Progress monitoring data displayed on charts or graphs show low rate of growth in educational performance despite provision of increasingly intense, explicit instructional interventions.
- Progress monitoring data of increasingly customized and individually tailored instruction and intervention indicate that the child needs specially designed instruction to access the general curriculum.
- The interventions needed to obtain an adequate level of performance or adequate learning rate are too demanding to be implemented with integrity without special education and related services.
- Despite implementation of intensive interventions, which include purposeful instructional design and delivery, prioritized content, protected time and grouping, and performance monitoring, the child does not make sufficient progress to meet age or state-approved grade-level standards in one or more areas.
- Measures, record review, interviews, and observations show that coexisting impairments adversely affect the child’s participation and progress in the general curriculum or participation in age-appropriate activities.
- Information from multiple sources of data indicates that the child exhibits a combination of impairments which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments.

For a child three to five years old, who is not yet enrolled in kindergarten

- Data indicate that a need for intense or sustained resources exists across settings, people, or situations.
- Data indicate that the disability has a substantial negative impact on the child’s ability to participate in age appropriate activities.

# Orthopedic Impairment

## **KAR 91-40-1**

(tt) "Orthopedic impairment" means a severe orthopedic impairment that adversely affects a child's educational performance and includes impairments caused by any of the following: 1) congenital anomaly, such as clubfoot or absence of a limb; 2) disease, such as poliomyelitis or bone tuberculosis; and 3) other causes, such as cerebral palsy, amputation, and fractures or burns that cause contractures.

### Exclusionary Criteria:

A child must NOT be determined to be a child with an exceptionality if the determinant factor is:

Exclusionary Factor	How to Evaluate
<ul style="list-style-type: none"><li>Lack of appropriate instruction in reading, including the essential components of reading instruction (defined in section 9215(c) of ESEA);</li></ul>	<p>Evidence shows that the child's previous reading instruction and curriculum included explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency (including oral reading skills), and reading comprehension strategies. This evidence may come from; (a) an evaluation of the school's ELA core/tier 1 curriculum and supplemental materials, (b) that the child actually received instruction provided by highly qualified teachers using appropriate ELA core/tier 1 curriculum and supplemental materials, and (c) records of intervention and progress monitoring indicating appropriate instructional adjustments based on child data.</p> <p>For a child three to five years old, who is not yet enrolled in kindergarten, teams should consider "appropriate instruction" as the child's participation in appropriate activities. This evidence may come from interviews with family and other caregivers and through observation in the child's natural environment that indicates whether or not the child has been exposed to activities appropriate for his/her age.</p>
<ul style="list-style-type: none"><li>Lack of appropriate instruction in math; or</li></ul>	<p>Evidence shows that the child's previous math instruction and curriculum addressed math calculation, problem solving, and conceptual understanding. This evidence may come from; (a) an evaluation of the school's core/tier 1 curriculum and supplemental materials, (b) that the child actually received instruction provided by highly qualified teachers using appropriate core/tier 1 curriculum and supplemental materials, and (c) records of intervention and progress monitoring indicating appropriate instructional adjustments based on child data.</p> <p>For a child three to five years old, who is not yet enrolled in kindergarten, teams should consider "appropriate instruction" as the child's participation in appropriate activities. This evidence may come from interviews with family and other caregivers and through observation in the child's natural environment that indicates whether or not the child has been exposed to activities appropriate for his/her age.</p>

<ul style="list-style-type: none"> <li>Limited English proficiency;</li> </ul>	<p>If the child being evaluated is an English Learner, show evidence that the child was provided with appropriate accommodations and interventions to address it. Consider things such as proficiency in English and in the child's native language, amount of time in the country, level of education in the child's native country, etc. Also consider whether the child's rate of learning is different from those of similar language background and educational experience. If, in spite of appropriate accommodations and interventions, the child's learning difficulties persist, this factor is ruled out.</p>
<ul style="list-style-type: none"> <li>and the child does not otherwise meet the eligibility criteria as a child with an exceptionality</li> </ul>	<p>Evidence shows that the child's learning difficulties are due to factors other than those associated with the criteria for disabilities as defined in IDEA. For example, frequent moves, incarceration, substance abuse, chronic absenteeism, etc.</p>

**Prong 1: Does the child exhibit an exceptionality?**

<p>Indicators</p>
<p>For meeting this prong of eligibility, the team must consider information and have data to support at least 1 indicator from each of the following categories:</p>
<ol style="list-style-type: none"> <li>Records contain medical information which provides evidence of orthopedic impairment. <ul style="list-style-type: none"> <li>Records contain information substantiating an impairment caused by: congenital anomaly, such as clubfoot or absence of a limb; disease, such as poliomyelitis or bone tuberculosis; and, other causes such as cerebral palsy, amputation, and fractures or burns that cause contractures.</li> <li>Records and/or interviews indicate a history of orthopedic impairment.</li> </ul> </li> <li>Records, interviews, observations, and/or tests show that the child's educational performance is much below that of peers. <ul style="list-style-type: none"> <li>Records, interviews, observations, and/or tests show that the child's orthopedic condition adversely impacts his/her educational performance.</li> <li>Measures of motor skills indicate the child's skills are much below that of peers.</li> <li>Progress monitoring data displayed on charts or graphs show low rate of growth in educational performance despite provision of increasingly intense, explicit and systematic instructional interventions.</li> </ul> </li> </ol>

## Prong 2: Does the child need special education [specially designed instruction] and related services?

### Indicators

- Despite modifications in instruction, curriculum, and environment, child's rate of learning is significantly less than peers.
- Despite modifications in instruction, curriculum, and environment, child's educational performance in various age appropriate environments is significantly delayed from peers.
- Despite modifications in instruction, curriculum, and environment, child's adaptive behavior skills in various age appropriate environments are significantly delayed from peers.
- Despite modifications of instruction, curriculum, and environment, the child does not make sufficient progress to meet age or state-approved grade-level standards across curricular areas.
- Progress monitoring data displayed on charts or graphs show low rate of growth in educational performance despite provision of increasingly intense, explicit instructional interventions.
- Progress monitoring data of increasingly customized and individually tailored instruction and intervention indicate that the child needs specially designed instruction to access the general curriculum.
- The interventions needed to obtain an adequate level of performance or adequate learning rate are too demanding to be implemented with integrity without special education and related services.
- Despite implementation of intensive interventions, which include purposeful instructional design and delivery, prioritized content, protected time and grouping, and performance monitoring, the child does not make sufficient progress to meet age or state-approved grade-level standards in one or more areas.

For a child three to five years old, who is not yet enrolled in kindergarten.

- Data indicate that a need for intense or sustained resources exists across settings, people, or situations.
- • Data indicate that the disability has a substantial negative impact on the child's ability to participate in age appropriate activities.

## Other Health Impairment

### ***KAR 91-40-1***

(uu) "Other health impairment" means having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment and that meets the following criteria: 1) is due to chronic or acute health problems, including asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, and Tourette syndrome; and 2) adversely affects a child's educational performance.

#### **Exclusionary Criteria:**

A child must NOT be determined to be a child with an exceptionality if the determinant factor is:

Exclusionary Factor	How to Evaluate
<ul style="list-style-type: none"><li>Lack of appropriate instruction in reading, including the essential components of reading instruction (defined in section 9215(c) of ESEA);</li></ul>	<p>Evidence shows that the child's previous reading instruction and curriculum include explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency (including oral reading skills), and reading comprehension strategies. This evidence may come from; (a) an evaluation of the school's ELA core/tier 1 curriculum and supplemental materials, (b) that the child actually received instruction provided by highly qualified teachers using appropriate ELA core/tier 1 curriculum and supplemental materials, and (c) records of intervention and progress monitoring indicating appropriate instructional adjustments based on child data.</p> <p>For a child three to five years old, who is not yet enrolled in kindergarten, teams should consider "appropriate instruction" as the child's participation in appropriate activities. This evidence may come from interviews with family and other caregivers and through observation in the child's natural environment that indicates whether or not the child has been exposed to activities appropriate for his/her age.</p>
<ul style="list-style-type: none"><li>Lack of appropriate instruction in math; or</li></ul>	<p>Evidence shows that the child's previous math instruction and curriculum addressed math calculation, problem solving, and conceptual understanding. This evidence may come from; (a) an evaluation of the school's core/tier 1 curriculum and supplemental materials, (b) that the child actually received instruction provided by highly qualified teachers using appropriate core/tier 1 curriculum and supplemental materials, and (c) records of intervention and progress monitoring indicating appropriate instructional adjustments based on child data.</p> <p>For a child three to five years old, who is not yet enrolled in kindergarten, teams should consider "appropriate instruction" as the child's participation in appropriate activities. This evidence may come from interviews with family and other caregivers and through observation in the child's natural environment that indicates whether or not the child has been exposed to activities appropriate for his/her age.</p>

<ul style="list-style-type: none"> <li>Limited English proficiency;</li> </ul>	<p>If the child being evaluated is an English Learner, show evidence that the child was provided with appropriate accommodations and interventions to address it. Consider things such as proficiency in English and in the child's native language, amount of time in the country, level of education in the child's native country, etc. Also consider whether the child's rate of learning is different from those of similar language background and educational experience. If, in spite of appropriate accommodations and interventions, the child's learning difficulties persist, this factor is ruled out.</p>
<ul style="list-style-type: none"> <li>and the child does not otherwise meet the eligibility criteria as a child with an exceptionality</li> </ul>	<p>Evidence shows that the child's learning difficulties are due to factors other than those associated with the criteria for disabilities as defined in IDEA. For example, frequent moves, incarceration, substance abuse, chronic absenteeism, etc.</p>

**Prong 1: Does the child exhibit an exceptionality?**

<p>Indicators</p>
<p>For meeting this prong of eligibility, the team must consider information and have data to support at least 1 indicator from each of the following numbered categories:</p>
<ol style="list-style-type: none"> <li>Records contain information which document chronic or acute health problems including: asthma; attention deficit disorder or attention deficit hyperactivity disorder; diabetes; epilepsy; heart condition; hemophilia; lead poisoning; leukemia; nephritis; rheumatic fever; sickle cell anemia; or Tourette syndrome. <ul style="list-style-type: none"> <li>Measures, record review, interviews, observations, and/or tests show the child's strength, vitality, or alertness is/are significantly different from peers.</li> <li>Measures, record review, interviews, observations, and/or tests show the child demonstrates limited alertness with respect to the educational environment.</li> </ul> </li> <li>Measures, record review, interviews, observations, and/or tests show that the child's condition adversely impacts his/her educational performance. <ul style="list-style-type: none"> <li>Measure, record review, interviews, observations, and/or tests show that the child's educational performance is much below that of peers.</li> <li>Progress monitoring data displayed on charts or graphs show low rate of growth in educational performance despite provision of increasingly intense, explicit and systematic instructional interventions.</li> </ul> </li> </ol>

**Prong 2: Does the child need special education [specially designed instruction] and related services?**

Indicators

- Despite modifications in instruction, curriculum, and environment, child's rate of learning is significantly less than peers.
- Despite modifications in instruction, curriculum, and environment, child's educational performance in various age appropriate environments is significantly delayed from peers.
- Providing modifications in instruction, curriculum, and environment does not alleviate adverse effects on child's educational performance due to differences in strength, vitality, or alertness.
- Despite modifications of instruction, curriculum, and environment, the child does not make sufficient progress to meet age or state-approved grade-level standards across curricular areas.
- Progress monitoring data displayed on charts or graphs show low rate of growth in educational performance despite provision of increasingly intense, explicit instructional interventions.
- Progress monitoring data of increasingly customized and individually tailored instruction and intervention indicate that the child needs specially designed instruction to access the general curriculum.
- The interventions needed to obtain an adequate level of performance or adequate learning rate are too demanding to be implemented with integrity without special education and related services.
- Despite implementation of intensive interventions, which include purposeful instructional design and delivery, prioritized content, protected time and grouping, and performance monitoring, the child does not make sufficient progress to meet age or state-approved grade-level standards in one or more areas.

For a child three to five years old, who is not yet enrolled in kindergarten.

- Data indicate that a need for intense or sustained resources exists across settings, people, or situations.
- Data indicate that the disability has a substantial negative impact on the child's ability to participate in age appropriate activities.

# Sensory Impairments

## **KAR 91-40-1**

(dd) "Hearing impairment" means an impairment in hearing, whether permanent or fluctuating, that adversely affects a child's educational performance but that does not constitute deafness as defined in this regulation.

(p) "Deafness" means a hearing impairment that is so severe that it impairs a child's ability to process linguistic information through hearing, with or without amplification, and adversely affects the child's educational performance. (uuu) "Visual impairment" means an impairment in vision that, even with corrections, adversely affects a child's educational performance. The term includes both partial sight and blindness.

(g) "Blindness" means a visual impairment that requires dependence on tactile and auditory media for learning

(o) "Deaf-blindness" means the combination of hearing and visual impairments that causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for the hearing impaired or the visually impaired.

## ***THE FOLLOWING EXCLUSIONARY CRITERIA APPLY TO HEARING IMPAIRMENT, DEAFNESS, VISUAL IMPAIRMENT, BLINDNESS, AND DEAF-BLINDNESS***

### Exclusionary Criteria

A child must NOT be determined to be a child with an exceptionality if the determinant factor is:

Exclusionary Factor	How to Evaluate
<ul style="list-style-type: none"><li>Lack of appropriate instruction in reading, including the essential components of reading instruction (defined in section 9215(c) of ESEA);</li></ul>	<p>Evidence shows that the child's previous reading instruction and curriculum included explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency (including oral reading skills), and reading comprehension strategies. This evidence may come from; (a) an evaluation of the school's core/tier 1 curriculum and supplemental materials, (b) that the child actually received instruction provided by highly qualified teachers using appropriate core/tier 1 curriculum and supplemental materials, and (c) records of intervention and progress monitoring indicating appropriate instructional adjustments based on child data.</p> <p>For a child three to five years old, who is not yet enrolled in kindergarten, teams should consider "appropriate instruction" as the child's participation in appropriate activities. This evidence may come from interviews with family and other caregivers and through observation in the child's natural environment that indicates whether or not the child has been exposed to activities appropriate for his/her age.</p>

<ul style="list-style-type: none"> <li>Lack of appropriate instruction in math; or</li> </ul>	<p>Evidence shows that the child’s previous math instruction and curriculum addressed math calculation, problem solving, and conceptual understanding. This evidence may come from; (a) an evaluation of the school’s core/tier 1 curriculum and supplemental materials, (b) that the child actually received instruction provided by highly qualified teachers using appropriate core/tier 1 curriculum and supplemental materials, and (c) records of intervention and progress monitoring indicating appropriate instructional adjustments based on child data.</p> <p>For a child three to five years old, who is not yet enrolled in kindergarten, teams should consider “appropriate instruction” as the child’s participation in appropriate activities. This evidence may come from interviews with family and other caregivers and through observation in the child’s natural environment that indicates whether or not the child has been exposed to activities appropriate for his/her age.</p>
<ul style="list-style-type: none"> <li>Limited English proficiency;</li> </ul>	<p>If the child being evaluated is an English Learner, show evidence that the child was provided with appropriate accommodations and interventions to address it. Consider things such as proficiency in English and in the child’s native language, amount of time in the country, level of education in the child’s native country, etc. Also, consider whether the child’s rate of learning is different from those of similar language background and educational experience. If, in spite of appropriate accommodations and interventions, the child’s learning difficulties persist, this factor is ruled out.</p>
<ul style="list-style-type: none"> <li>and the child does not otherwise meet the eligibility criteria as a child with an exceptionality</li> </ul>	<p>Evidence shows that the child’s learning difficulties are due to factors other than those associated with the criteria for disabilities as defined in IDEA. For example, frequent moves, incarceration, substance abuse, chronic absenteeism, etc.</p>

THE FOLLOWING INDICATORS APPLY TO

**A. Hearing Impairment/Deafness**

**Prong 1: Does the child exhibit an exceptionality?**

Indicators

For meeting this prong of eligibility, the team must consider information and have data to support at least 1 indicator from each of the following numbered categories:

1. Records contain information which provides evidence of hearing impairment/deafness.
  - Measures of hearing impairment indicate the following:
    - a chronic or progressive condition exists which interferes with the auditory learning mode (permanent or fluctuating)
    - congenital malformations of the auricle (e.g., absence of a pinna or ear canal opening) that results in a hearing loss
    - the hearing loss is not severe enough to constitute deafness
  - Measures of deafness indicate the following:
    - hearing impairment that is so severe that it impairs a child’s ability to process linguistic information through hearing, with or without amplification
    - congenital malformations of the auricle (e.g., absence of a pinna or ear canal opening) that results in deafness
2. Adverse effect on educational performance
  - Measures, record reviews, interviews and/or observations indicate that the child’s condition adversely impacts his/her educational performance.

Other Supporting Information

Records contain medical information which provides evidence that the child is deaf or hearing impaired. Examples include:

- Documentation of Auditory Processing Disorder (APD), also referred to as Central Auditory Processing Disorder (CAPD), or evidence of difficulty in processing and interpreting auditory stimuli which often results from a problem in the brainstem or cerebral cortex.
- Auditory Neuropathy Spectrum Disorder (ANSD) or evidence of a disorder in which sound enters the inner ear normally, but the transmission of signals from the inner ear to the brain is impaired or virtually absent.
- Functional Deafness or evidence that the structures of the ear are present and working; however, the child does not attend, respond, localize, or process sound; (a) to receive information from the environment; (b) accurately interpret information about the environment; and/or (c) to accurately interpret meaning from sound to information provided linguistically with or without amplification.

A diagnosis should be considered as supporting information. However, a diagnosis is not required, nor necessarily determinative, in eligibility decisions.

## Prong 2: Does the child need special education [specially designed instruction] and related services?

### Indicators

- The hearing loss limits full auditory access to educational program, impacts educational performance, and/or prohibits the child from reaching full non-verbal cognitive potential. For example, the child exhibits an impairment of spoken or signed articulation, phonology, voice and/or fluency and/or receptive and/or expressive language (spoken or signed) delay, including in syntax, pragmatics, semantics, morphology, and/or vocabulary.
- Despite modifications in instruction, curriculum, and environment, the child's rate of learning is significantly less than his/her peers.
- Despite modifications in instruction, curriculum, and environment, the child's educational performance in various age appropriate environments is significantly delayed from his/her peers.
- Progress monitoring data indicate intense or sustained resources (e.g. specific assistance, modifications, adaptations, or supports necessary to accommodate the sensory loss) are needed in order for the child to demonstrate adequate progress.
- Despite modifications of instruction, curriculum, and environment, the child does not make sufficient progress to meet age or state-approved grade-level standards across curricular areas.
- Progress monitoring data displayed on charts or graphs show low rate of growth in educational performance despite provision of increasingly intense, explicit instructional interventions.
- Progress monitoring data result of increasingly customized and individually tailored instruction and intervention indicate that the child needs specially designed instruction to access the general curriculum.
- The interventions needed to obtain an adequate level of performance or adequate learning rate are too demanding to be implemented with integrity without special education and related services.
- Despite implementation of intensive interventions, which include purposeful instructional design and delivery, prioritized content, protected time and grouping, and performance monitoring, the child does not make sufficient progress to meet age or state-approved grade-level standards in one or more areas.

For a child three to five years old, who is not yet enrolled in kindergarten

- Data indicate that a need for intense or sustained resources exists across settings, people, or situations.
- Data indicate that the disability has a substantial negative impact on the child's ability to participate in age appropriate activities.

THE FOLLOWING INDICATORS APPLY TO

**B. Blindness/Visual Impairment**

**Prong 1: Does the child exhibit an exceptionality?**

Indicators

For meeting this prong of eligibility, the team must consider information and have data to support at least 1 indicator from each of the following numbered categories:

1. Records contain information which provides evidence of blindness/visual impairment.

- Measures of blindness indicate the following:
  - a visual impairment that requires dependence on tactile and auditory media for learning
  - a chronic condition exists which interferes with the visual learning mode
  - ocular motor deficit (e.g., muscle imbalance)
  - any other vision condition that, even with correction, adversely affects a child's educational performance
- Measures of visual impairment indicate the following:
  - a chronic or progressive condition exists which interferes with the visual learning mode
  - ocular motor deficit (e.g., muscle imbalance)
  - anophthalmus (absence of actual eyeball in one eye)
  - any other vision condition that, even with correction, adversely affects a child's educational performance

2. Measures, record review, interviews, observations, and/or tests show that the child's impairment adversely impacts his/her educational performance.

- Information from multiple sources of data indicates that the child exhibits a visual impairment, whether permanent, fluctuating or progressive, that adversely affects his/her educational performance.
- Evidence of any other vision condition that results in impairment that, even with correction, adversely affects a child's educational performance

Other supporting information

Records contain medical information which provides evidence of blindness and/or visual impairment or a progressive condition diagnosed by an appropriately trained and qualified ophthalmologist or optometrist, such as documentation of Cortical Visual Impairment (CVI) or evidence that the visual structures are present and working; however, the child does not track, localize, or process vision to receive information from the environment or accurately interpret information about the environment. A diagnosis should be considered as supporting information. However, a diagnosis is not required, nor necessarily determinative, in eligibility decisions.

## Prong 2: Does the child need special education [specially designed instruction] and related services?

### Indicators

- Information from multiple sources of data indicates that the child exhibits a visual impairment that, even with correction, adversely affects his/her educational performance.
- Documentation that vision losses are such that the child cannot be provided services appropriately in the general education classroom without specific assistance, modifications, adaptations, or supports necessary to accommodate the visual loss.
- Measures, record review, interviews, observations, and/or tests show that the child's educational performance is much below that of his/her peers.
- Progress monitoring data displayed on charts or graphs show low rate of growth in educational performance despite provision of increasingly intense, explicit instructional interventions.
- Despite modifications in instruction, curriculum, and environment, child's rate of learning is significantly less than his/her peers.
- Despite modifications in instruction, curriculum, and environment, child's educational performance in various age appropriate environments is significantly delayed from his/her peers.
- Progress monitoring data indicate intense or sustained resources (e.g. specific assistance, modifications, adaptations, or supports necessary to accommodate the visual loss) are needed in order for child to demonstrate adequate progress.
- Despite modifications of instruction, curriculum, and environment, the child does not make sufficient progress to meet age or state-approved grade-level standards across curricular areas.
- Progress monitoring data displayed on charts or graphs show low rate of growth in educational performance despite provision of increasingly intense, explicit instructional interventions.
- Progress monitoring data results of increasingly customized and individually tailored instruction, and intervention indicate that the child needs specially designed instruction to access the general curriculum.
- The interventions needed to obtain an adequate level of performance or adequate learning rate are too demanding to be implemented with integrity without special education and related services.
- Despite implementation of intensive interventions, which include purposeful instructional design and delivery, prioritized content, protected time and grouping, and performance monitoring, the child does not make sufficient progress to meet age or state-approved grade-level standards in one or more areas.

For a child three to five years old, who is not yet enrolled in kindergarten

- Data indicate that a need for intense or sustained resources exists across settings, people, or situations.
- Data indicate that the disability has a substantial negative impact on the child's ability to participate in age appropriate activities.

THE FOLLOWING INDICATORS APPLY TO

**C. Deaf-Blindness**

**Prong 1: Does the child exhibit an exceptionality?**

Indicators

For meeting this prong of eligibility, the team must consider information and have data to support at least 1 indicator from each of the following numbered categories:

1. Records contain information which provides evidence of hearing impairment/deafness.

- Measures of hearing impairment indicate the following:
  - a chronic or progressive condition exists which interferes with the auditory learning mode (permanent or fluctuating)
  - congenital malformations of the auricle (e.g., absence of a pinna or ear canal opening) that results in a hearing loss
  - does not constitute deafness
- Measures of deafness indicate the following:
  - hearing impairment that is so severe that it impairs a child's ability to process linguistic information through hearing, with or without amplification
  - congenital malformations of the auricle (e.g., absence of a pinna or ear canal opening) that results in deafness

2. Records contain information which provides evidence of blindness/visual impairment.

- Measures of blindness indicate the following:
  - a visual impairment that requires dependence on tactile and auditory media for learning
  - a chronic condition exists which interferes with the visual learning mode
  - ocular motor deficit (e.g., muscle imbalance)
- Measures of visual impairment indicate the following:
  - a chronic or progressive condition exists which interferes with the visual learning mode
  - ocular motor deficit (e.g., muscle imbalance)
  - anophthalmus (absence of actual eyeball in one eye)

3. Measures of educational performance that indicate:

- The child exhibits a combination of hearing and visual impairments so severe that communication, developmental and educational needs that the child has cannot be accommodated in special education programs solely for children who are hearing impaired or visually impaired.

Other Supporting Information

Records contain medication information which provides evidence of deaf-blindness. See other supporting information under the categories of Visual Impairment/Blindness and Hearing Impairment/Deafness.

## Prong 2: Does the child need special education [specially designed instruction] and related services?

### Indicators

- Despite modifications in instruction, curriculum, and environment, children's educational performance in various age-appropriate environments is significantly delayed from peers.
- Progress monitoring data indicate intense or sustained resources (e.g., specific assistance, modifications, adaptations, or supports necessary to accommodate both sensory losses) are needed in order for child to demonstrate adequate progress.
- Despite modifications of instruction, curriculum, and environment, the child does not make sufficient progress to meet age or state-approved grade-level standards across curricular areas.
- Progress monitoring data displayed on charts or graphs show low rate of growth in educational performance despite provision of increasingly intense, explicit instructional interventions.
- Progress monitoring data of increasingly customized and individually tailored instruction and intervention indicate that the child needs specially designed instruction to access the general curriculum.
- Despite implementation of intensive interventions, which include purposeful instructional design and delivery, prioritized content, protected time and grouping, and performance monitoring, the child does not make sufficient progress to meet age or state-approved grade-level standards in one or more areas.
- Progress monitoring data indicate intense or sustained resources (e.g., specific assistance, modifications, adaptations, or supports necessary to accommodate both sensory losses) are needed in order for child to demonstrate adequate progress.
- The interventions needed to obtain an adequate level of performance or adequate learning rate are too demanding to be implemented with integrity without special education and related services.

For a child three to five years old, who is not yet enrolled in kindergarten

- Data indicate that a need for intense or sustained resources exists across settings, people, or situations.
- Data indicate that the disability has a substantial negative impact on the child's ability to participate in age appropriate activities.

# Speech or Language Impairment

## KAR 91-40-1

(III) "Speech or language impairment" means a communication disorder, including stuttering, impaired articulation, a language impairment, or a voice impairment, that adversely affects a child's educational performance.

### Exclusionary Criteria:

A child must NOT be determined to be a child with an exceptionality if the determinant factor is:

Exclusionary Factor	How to Evaluate
<ul style="list-style-type: none"><li>Lack of appropriate instruction in reading, including the essential components of reading instruction (defined in section 9215(c) of ESEA);</li></ul>	<p>Evidence shows that the child's previous reading instruction and curriculum included explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency (including oral reading skills), and reading comprehension strategies. This evidence may come from; (a) an evaluation of the school's ELA core/tier 1 curriculum and supplemental materials, (b) that the child actually received instruction provided by highly qualified teachers using appropriate ELA core/tier 1 curriculum and supplemental materials, and (c) records of intervention and progress monitoring indicating appropriate adjustments based on child data.</p> <p>For a child three to five years old, who is not yet enrolled in kindergarten, teams should consider "appropriate instruction" as the child's participation in appropriate activities. This evidence may come from interviews with family and other caregivers and through observation in the child's natural environment that indicates whether or not the child has been exposed to activities appropriate for his/her age.</p>
<ul style="list-style-type: none"><li>Lack of appropriate instruction in math; or</li></ul>	<p>Evidence shows that the child's previous math instruction and curriculum addressed math calculation, problem solving, and conceptual understanding. This evidence may come from; (a) an evaluation of the school's core/tier 1 curriculum and supplemental materials, (b) that the child actually received instruction provided by highly qualified teachers using appropriate core/tier 1 curriculum and supplemental materials, and (c) records of intervention and progress monitoring indicating appropriate adjustments based on child data.</p> <p>For a child three to five years old, who is not yet enrolled in kindergarten, teams should consider "appropriate instruction" as the child's participation in appropriate activities. This evidence may come from interviews with family and other caregivers and through observation in the child's natural environment that indicates whether or not the child has been exposed to activities appropriate for his/her age.</p>

<ul style="list-style-type: none"> <li>Limited English proficiency;</li> </ul>	<p>If the child being evaluated is an English Learner, show evidence that the child was provided with appropriate accommodations and interventions to address it. Consider things such as proficiency in English and in the child's native language, amount of time in the country, level of education in the child's native country, etc. Also consider whether the child's rate of learning is different from those of similar language background and educational experience. If, in spite of appropriate accommodations and interventions, the child's learning difficulties persist, this factor is ruled out.</p>
<ul style="list-style-type: none"> <li>and the child does not otherwise meet the eligibility criteria as a child with an exceptionality</li> </ul>	<p>Evidence shows that the child's learning difficulties are due to factors other than those associated with the criteria for disabilities as defined in IDEA. For example, frequent moves, incarceration, substance abuse, chronic absenteeism, etc.</p>

**Prong 1: Does the child exhibit an exceptionality?**

<p>Indicators</p>
<p>For meeting this prong of eligibility, the team must consider information and have data to support at least 1 indicator from each of the following numbered categories:</p>
<ol style="list-style-type: none"> <li>Measures, record review, interview, observations, and/or assessments indicate child's voice, fluency, speech sounds, or language skills are not commensurate with age appropriate expectations. <ul style="list-style-type: none"> <li>Measures, record review, interview, observations, and/or assessments indicate child's communication skill level is much below that of peers.</li> <li>Measures, record review, interview, observations, and/or assessments indicate child's communication skills have impacted development in other areas, e.g., social-emotional, cognitive.</li> <li>Performance significantly lower than peers on measures of language which are related to curricular performance.</li> </ul> </li> <li>Information from multiple sources of data indicates that the child exhibits stuttering, impaired articulation, a language impairment, or a voice impairment that adversely affects educational performance. <ul style="list-style-type: none"> <li>Measures, record review, interview, observations, and/or assessments indicate child's voice, fluency, speech sounds, or language skills have an adverse effect on the child's educational performance.</li> <li>Records and interviews indicate a history of academic difficulty relative to communication skills.</li> <li>Progress monitoring data displayed on charts or graphs show low rate of growth in educational performance despite provision of increasingly intense, explicit and systematic instructional interventions.</li> </ul> </li> </ol>

## Prong 2: Does the child need special education [specially designed instruction] and related services?

### Indicators

- Despite modifications in instruction, curriculum, and environment, child's rate of learning is significantly less than peers.
- Despite modifications in instruction, curriculum, and environment, child's educational performance in various age appropriate environments is significantly delayed from peers.
- Despite modifications of instruction, curriculum, and environment, the child does not make sufficient progress to meet age or state-approved grade-level standards across curricular areas.
- Progress monitoring data displayed on charts or graphs show low rate of growth in educational performance despite provision of increasingly intense, explicit instructional interventions.
- Progress monitoring data of increasingly customized and individually tailored instruction and intervention indicate that the child needs specially designed instruction to access the general curriculum.
- The interventions needed to obtain an adequate level of performance or adequate learning rate are too demanding to be implemented with integrity without special education and related services.
- The interventions needed to obtain an adequate level of performance or adequate learning rate are too demanding to be implemented with integrity without special education and related services.
- Despite implementation of intensive interventions, which include purposeful instructional design and delivery, prioritized content, protected time and grouping, and performance monitoring, the child does not make sufficient progress to meet age or state-approved grade-level standards in one or more areas.

For a child three to five years old, who is not yet enrolled in kindergarten.

- Data indicate that a need for intense or sustained resources exists across settings, people, or situations.
- Data indicate that the disability has a substantial negative impact on the child's ability to participate in age appropriate activities.

## IX. Traumatic Brain Injury

### ***KAR 91-40-1***

(sss) "Traumatic brain injury" means an acquired injury to the brain, caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects educational performance. The term shall apply to open or closed head injuries resulting in impairments in one or more areas, including the following: (1) cognition; (2) language; (3) memory; (4) attention; (5) reasoning; (6) abstract thinking; (7) judgment; (8) problem-solving; (9) sensory, perceptual and motor abilities; (10) psychosocial behavior; (11) physical functions; (12) information processing; and (13) speech. The term shall not include brain injuries that are congenital or degenerative or that are induced by birth trauma.

#### Exclusionary Criteria:

A child must NOT be determined to be a child with an exceptionality if the determinant factor is:

Exclusionary Factor	How to Evaluate
<ul style="list-style-type: none"><li>Lack of appropriate instruction in reading, including the essential components of reading instruction (defined in section 9215(c) of ESEA);</li></ul>	<p>Evidence shows that the child's previous reading instruction and curriculum included explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency (including oral reading skills), and reading comprehension strategies. This evidence may come from; (a) an evaluation of the school's ELA core/tier 1 curriculum and supplemental materials, (b) that the child actually received instruction provided by highly qualified teachers using appropriate ELA core/tier 1 curriculum and supplemental materials, and (c) records of intervention and progress monitoring indicating appropriate instructional adjustments based on child data.</p> <p>For a child three to five years old, who is not yet enrolled in kindergarten, teams should consider "appropriate instruction" as the child's participation in appropriate activities. This evidence may come from interviews with family and other caregivers and through observation in the child's natural environment that indicates whether or not the child has been exposed to activities appropriate for his/her age.</p>
<ul style="list-style-type: none"><li>Lack of appropriate instruction in math; or</li></ul>	<p>Evidence shows that the child's previous math instruction and curriculum addressed math calculation, problem solving, and conceptual understanding. This evidence may come from; (a) an evaluation of the school's core/tier 1 curriculum and supplemental materials, and (b) that the child actually received instruction provided by highly qualified teachers using appropriate core/tier 1 curriculum and supplemental materials.</p> <p>For a child three to five years old, who is not yet enrolled in kindergarten, teams should consider "appropriate instruction" as the child's participation in appropriate activities. This evidence may come from interviews with family and other caregivers and through observation in the child's natural environment that indicates whether or not the child has been exposed to activities appropriate for his/her age.</p>

<ul style="list-style-type: none"> <li>Limited English proficiency;</li> </ul>	<p>If the child being evaluated is an English Language Learner, show evidence that the child was provided with appropriate accommodations and interventions to address it. Consider things such as proficiency in English and in the child’s native language, amount of time in the country, level of education in the child’s native country, etc. Also consider whether the child’s rate of learning is different from those of similar language background and educational experience. If, in spite of appropriate accommodations and interventions, the child’s learning difficulties persist, this factor is ruled out.</p>
<ul style="list-style-type: none"> <li>and the child does not otherwise meet the eligibility criteria as a child with an exceptionality</li> </ul>	<p>Evidence shows that the child’s learning difficulties are due to factors other than those associated with the criteria for disabilities as defined in IDEA. For example, frequent moves, incarceration, substance abuse, chronic absenteeism, etc.</p>
<ul style="list-style-type: none"> <li>The term shall not include brain injuries that are congenital or degenerative or that are induced by birth trauma.</li> </ul>	<p>The term TBI is not used for a person who is born with a brain injury. It also is not used for brain injuries that happen during birth. Evidence is provided that the brain injury was sustained after some period of normal development.</p>
<ul style="list-style-type: none"> <li>The term shall not include brain injuries that are the result of brain tumors, brain infections, cerebral vascular accident (strokes), or poisonings.</li> </ul>	<p>The term TBI is not used for a person who sustained a brain injury as a result of a brain tumor, brain infection, cerebral vascular accident (stroke), or poisoning. Evidence is provided that the brain injury sustained was not caused by these conditions. (Note: Children with these conditions may meet eligibility requirements under the category of “Other Health Impaired”.)</p>

**Prong 1: Does the child exhibit an exceptionality?**

Indicators

For meeting this prong of eligibility, the team must consider information and have data to support at least 1 indicator from each of the following numbered categories:

1. Record review, interview, observation, and/or tests indicates that the child has an acquired injury to the brain (applies to both open or closed head injuries, including near drowning) caused by an external physical force that has resulted in total or partial functional disability or psychosocial impairment, or both, that adversely affects educational performance.
  - Record review, interviews, observations, and/or tests in one or more areas (cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem-solving; sensory, perceptual, and motor abilities; psychosocial behavior; physical functions; information processing; and speech) indicate child's skill level is much below that of peers.
  - Record review and/or interview indicates the brain injury is not congenital or degenerative or induced by birth trauma.
  - Record review and/or interview indicate the brain injury is not the result of brain tumors, brain infections, cerebral vascular accident (strokes), or poisonings.
2. Record review, interview, observation, and/or tests indicate the injury adversely affects the child's educational performance.
  - Progress monitoring data displayed on charts or graphs show low rate of growth in educational performance despite provision of increasingly intense, explicit instructional interventions.

Other Supporting Information

Records contain medical information which provides evidence of traumatic brain injury.

**Prong 2: Does the child need special education [specially designed instruction] and related services?**

Indicators

- Despite modifications in instruction, curriculum, and environment, child's rate of learning is significantly less than peers.
- Despite modifications in instruction, curriculum, and environment, child's educational performance in various age appropriate environments is significantly delayed from peers.
- Progress monitoring data indicate intense or sustained resources are needed to support interventions (e.g. specific assistance, modifications, adaptations, or other supports) necessary to accommodate the needs resulting from the injury.
- Despite modifications of instruction, curriculum, and environment, the child does not make sufficient progress to meet age or state-approved grade-level standards across curricular areas.
- Progress monitoring data displayed on charts or graphs show low rate of growth in educational performance despite provision of increasingly intense, explicit instructional interventions.
- The interventions needed to obtain an adequate level of performance or adequate learning rate are too demanding to be implemented with integrity without special education and related services.
- Despite implementation of intensive interventions, which include purposeful instructional design and delivery, prioritized content, protected time and grouping, and performance monitoring, the child does not make sufficient progress to meet age or state-approved grade-level standards in one or more areas.

For a child three to five years old, who is not yet enrolled in kindergarten.

- Data indicate that a need for intense or sustained resources exists across settings, people, or situations.
- Data indicate that the disability has a substantial negative impact on the child's ability to participate in age appropriate activities.

## **Appendix E: Related Service Staff Participation in Initial Evaluations for Each Exceptionality**

### **Related Service Staff Participation in Initial Evaluations for Each Exceptionality**

School psychologists are responsible for facilitating and ensuring completion of all comprehensive psychoeducational evaluations, with the exception of “Speech Only” (articulation, voice, and fluency) evaluations. Support staff participation for each exceptionality is described below. If support staff are not listed under specific exceptionalities and the SIT team believes that specific support staff services are required to conduct a thorough evaluation, those support staff evaluative services may be added.

#### **Autism Spectrum (AM) Eligibility**

- School Psychologist
- School Social Worker
- Speech Therapist
- Occupational Therapist when appropriate

#### **Delayed (DD) Eligibility**

- School Psychologist
- Speech Therapist
- Preschool Teacher
- School Social Worker when appropriate

#### **Emotional Disturbance (ED) Eligibility**

- School Psychologist
- School Social Worker

#### **Gifted (GI) Eligibility**

- School Psychologist

#### **Learning Disability (LD) Eligibility**

- School Psychologist
- Speech Therapist when appropriate

#### **Intellectual Disability (ID) Eligibility**

- School Psychologist
- School Social Worker

#### **Other Health Impairment (OHI) Eligibility**

- School Psychologist
- School Social Worker when appropriate

#### **Orthopedic Impairment (OI) Eligibility**

- School Psychologist

**Hearing Impairment (DB) Disability**

- School Psychologist
- District Audiologist
- Speech Therapist
- Hearing Impaired Instructor

**Deafness Eligibility**

- School Psychologist
- District Audiologist
- Speech Therapist
- Hearing Impaired Instructor

**Visually Impairment/Blindness (VI) Eligibility**

- School Psychologist
- Visually Impaired Instructor

**Deaf-Blindness Eligibility**

- School Psychologist
- District Audiologist
- Hearing Impaired Instructor
- Speech Therapist
- Hearing Impaired Instructor
- Visually Impaired Instructor

**Speech Eligibility (SL)**

- Speech Therapist

**Traumatic Brain Injury (TBI) Eligibility**

- School Psychologist

## Appendix F: Sample Letter for Failure to Respond to Request for Consent

### Sample Letter for Failure to Respond to Request for Consent

Monday, April 10, 2025

To the parent(s) of:

Address:  
Burlington, Kansas

Dear Parent,

Per the Kansas State Department of Education regulations for special education, the school district is required to obtain informed written consent from a parent or legal educational decision maker prior to conducting an initial evaluation for special education. My attempts to contact you to discuss this process and obtain consent for an initial evaluation for your student are listed below:

- 3/25/25 – Phone to \_\_\_\_ No answer, no voicemail box
- 3/28/25 – Email – to \_\_\_\_ No response
- 4/2/25 – Phone – to \_\_\_\_ No answer, left message.
- 4/5/25 – Sent letter home requesting you contact the school to discuss proposed evaluation and whether you give or refuse consent ---No response to date

Without your written consent for initial evaluation, the school is unable to move forward with the evaluation process. Since we have not received a response from you with regard to the proposed evaluation, if I do not receive contact from you by April 25, 2025 to review the consent form and obtain your signature, I will interpret your lack of response to mean you do not consent to the initial evaluation at this time. If this is not accurate, please contact either myself at \_\_ or your child's principal at \_\_\_\_.

Thank you,

School Psychologist  
Coffey County Special Education Cooperative  
Phone: (620) 364-  
Email:

Enclosed: Kansas State Department of Education Parental Rights in Special Education (“Procedural Safeguards”)

## Appendix G: Sample Letter for Failure to Respond During an Initial Evaluation

### Sample Letter for Failure to Respond During an Initial Evaluation

Date:

RE: status of comprehensive evaluation for special education

To the parent(s) of: *Student Name*  
*Parent Name*  
*Address*  
*Phone number*

Dear *Parent*,

We are in the process of completing an evaluation for eligibility for special education for your child. After providing you written ten-day notice of the meeting and also contacting you on \_\_\_ by phone, on \_\_\_\_\_ we met to determine eligibility for special education. The team has determined that your child meets criteria as a student with a disability under IDEA, and also that he/she demonstrates a need for special education services. Therefore, your student is eligible for specialized instruction and related services through an Individualized Education Plan (IEP). We have attempted to contact you (by phone, through home visit, etc.) on \_\_\_ and \_\_\_ to provide evaluation feedback, but have not been successful to date. Enclosed please find a copy of the Evaluation Report and a copy of the Prior Written Notice for Evaluation describing the team's eligibility determination and recommendation.

On \_\_, after sending you written ten-day notice of the IEP meeting, emailing you on \_\_\_ and contacting you to leave a voice mail by phone on \_\_\_, the school team met to develop an individual education plan for your student. We would like to meet and discuss these proposed services with you as soon as possible and obtain either your consent or refusal to proceed with placement and services.

By law, schools are required to complete initial special education evaluations (including developing an IEP and implementing services for eligible students) within 60 school days of receiving parental consent for the evaluation and within 30 calendar days of determining eligibility. A school cannot implement special education services without parent consent; your participation is necessary in order for your child's school team to proceed with their recommendations for service.

Please contact me at the number below as soon as you are able to ensure that appropriate services may be offered and implemented with your input and consent.

Thank you,

School Psychologist  
Coffey County Special Education Cooperative  
Phone: (620)  
Email:

Enclosures:  
Eligibility Report  
Prior Written Notice for Identification

## Appendix H: Letter of Response to Parent Request for Evaluation

### Sample Letter of Response to Parent Request for Evaluation

Date:

PARENT NAME

PARENT ADDRESS

Dear PARENT

On DATE, we received a request from you to have your child, CHILD'S NAME, evaluated to determine if he is a child with an exceptionality. Thank you for the interest you are showing in your child's educational development. Your request will be immediately forwarded to the general education intervention team at \_\_\_\_\_ to determine if the referral for an initial evaluation is warranted. We would like to involve you in this process and encourage your participation in this action.

If the team determines that the referral is not warranted, I will provide you with written notice within 15 school days. If you do not agree with this decision, you will have the right to request mediation and/or a due process hearing.

If the referral for an initial evaluation is warranted, you have the right to request that the evaluation process begin immediately. As a second option, a building-level, general education intervention process that precedes an initial evaluation is available to assist the team in determining the specific concerns and needs of your child. The general education intervention process includes your right to participate.

If you decide to request that the initial evaluation be conducted without waiting for general education interventions to conclude, the general education intervention process will be conducted as part of the initial evaluation.

In order to initiate an evaluation, school personnel are required to:

- provide parents with a copy of the Parent Rights document;
- review any existing data;
- provide Prior Written Notice of intent to conduct an initial evaluation, or refusal to conduct an initial evaluation; and
- obtain informed written consent or refusal for the proposed action.

According to KAR 91-40-8(h), the initial evaluation must be completed within a 60 school-day timeline. The initial evaluation timeline begins when the education agency receives written parent consent on the state approved Notice and Consent Form. Within the 60-day timeline, certain actions must be completed. The actions include completion of the initial evaluation and determination of eligibility for special education. If the child is found to meet eligibility criteria for special education and related services, an Individual Education Program (IEP) meeting will be scheduled and the IEP will be implemented if parents give consent to the IEP.

Enclosed is a copy of the Parent Rights document as required. Staff are available to further explain your rights should you request additional information. Thank you for your involvement. Please feel free to contact me if you have any questions regarding the special education process.

Sincerely,

MR./MS. AWESOME PSYCHOLOGIST, EdS

School Psychologist Principal

BLANK ELEMENTARY/MIDDLE/HIGH SCHOOL

Enclosure: Parental Rights Document

## Appendix I: Sample Wording for PWN Consent for Initial Evaluation

### B. EXPLANATION OF WHY THE ACTION IS PROPOSED OR REFUSED:

Conduct an initial special education evaluation to determine if \_\_\_\_\_ is a child with an exceptionality and a need for special education. Proposed as \_\_\_\_\_ made limited progress despite intensive and varied general education interventions provided in the 2025-2026 school year in the areas of social/emotional/behavioral functioning, speech articulation, and academics. While the general education intervention (GEI) team did see initial success and improvement in \_\_\_\_\_ performance, it became apparent that his needs surpassed general education resources to the extent that his team suspected an educational disability and a need for specially designed instruction may be present.

Collect data in the areas of health/motor/sensory needs, social/emotional/behavior functioning, general intelligence, academic performance, and communicative status. Proposed as this information is necessary to determine if he has an educational disability as well as to best understand and plan for \_\_\_\_\_ needs in the educational environment.

Continue \_\_\_\_\_ general education intervention plan concurrently through the course of the evaluation. Proposed as \_\_\_\_\_ school team is committed to his success and will continue to strive to understand and meet his needs so as to better inform his educational programming.

### C. OPTIONS CONSIDERED AND WHY THE OPTIONS WERE REJECTED:

Do not conduct an initial special education evaluation. Considered but rejected as his school team suspects the presence of both an educational disability and a need for special education, supported by evidence from general education interventions and strategies.

Continue general education interventions only. Considered but rejected. \_\_\_\_\_'s educational needs are affecting his ability to access the general curriculum at this time without extensive supports through GEI plan. The team suspects the presence of an educational disability, which requires we conduct a comprehensive evaluation to determine if the student is eligible for special education.

Collect new data in the areas of vision and hearing. Considered but rejected as current school health screening data indicates there are no concerns with \_\_\_\_\_ vision or hearing status and thus no new information is needed at this time.

Collect new data in the area of transition skills. Considered but rejected as it is not applicable based on \_\_\_\_\_ age and educational status (1st grader).

### D. DESCRIPTION OF THE DATA USED AS BASIS FOR THE PROPOSED OR REFUSED ACTION:

(including each evaluation procedure, assessment, record or report used as a basis for the proposed or refused action)

Observations, teacher input, parent input, review of general education interventions and data, review of discipline logs, review of applicable academic data, review of speech-language interventions and data, and classroom assessments and grades

**E. OTHER FACTORS CONSIDERED RELEVANT TO THE PROPOSED OR REFUSED ACTION:**

As part of this evaluation, ——will miss some class time for direct assessment. Additionally, school staff may contact parents for additional information via interviews, rating forms, or reports obtained from outside agencies.

The evaluation team will have 60 school days from the date consent is signed and returned to complete the evaluation and initiate an individual education plan if appropriate. All results from the evaluation will be shared at an initial eligibility meeting, of which all applicable school staff and parents will be invited to at least 10 calendar days in advance.

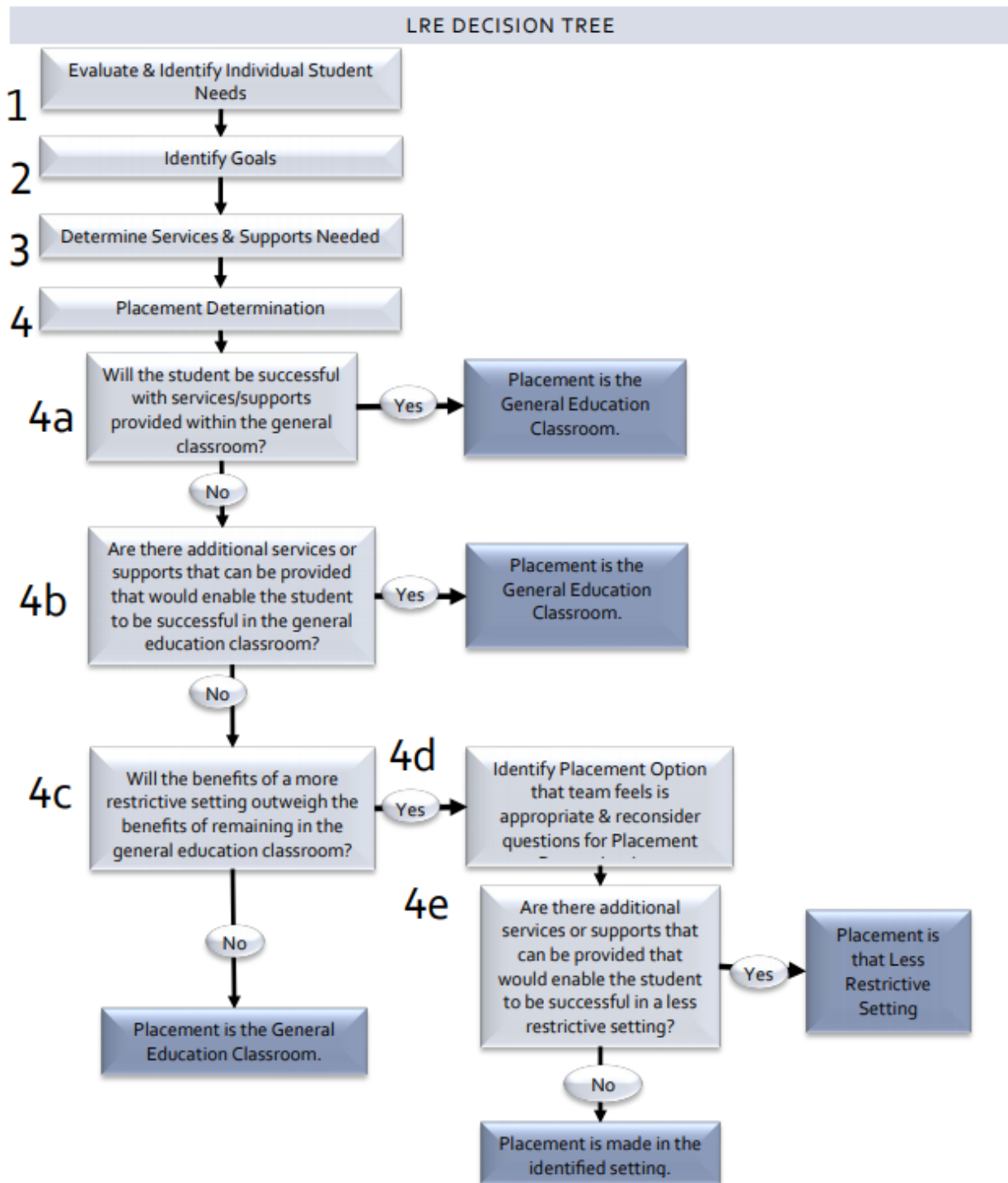
**Appendix J: Requirements for Parent Notice and Consent**

<b>Proposed Action by the School</b>	<b>Prior Written Notice (PWN)(300.503) or Notification</b>	<b>Requires Parental Consent</b>	<b>Due Process If Parent Refuses to Give Consent</b>
Initiate evaluation	PWN	Yes	May/not required
Refuse to initiate initial evaluation or reevaluation	PWN	No	N/A
Identification and Eligibility Determinations	PWN	No	N/A
Initial provision of IEP services (placement)	PWN	Yes	No
Reevaluation of a student	PWN	Yes	May/not required
Substantial change in placement (more than 25% of student’s day)	PWN	Yes	May/not required
Change in placement that is 25% or less of the student’s day	PWN	No	N/A
Material change in services (25% or more of any one service), includes accommodations listed on the IEP	PWN	Yes	May/not required
Change in instructional methodology specified in IEP	PWN	No	N/A
Change in service that is less than 25% of the service being changed	PWN	No	N/A
Add a new service or delete one completely	PWN	Yes	May/not required
Evaluation reevaluation or initiate services for children parentally placed in private schools	PWN	Yes	No
Notification of the IEP meeting	Notification	No	N/A
Invite an outside agency to the IEP for secondary transition	Notification	Yes	N/A
Use of Medicaid	Notification (annually)	Yes (once)	N/A
Use of private insurance	Inform (each time)	Yes (each time)	N/A
Discontinuation of special education services	See chart in Chapter 8, Section G of KSDE Process Handbook		

## Appendix K: IEP Team Meeting Requirements

	IEP Meeting for Annual Review	IEP Meeting for any other purpose	Amend an IEP without Meeting
Notice of Meeting (10-Days Prior to Meeting)	Yes	Yes	No
Required Member Attendance	Yes	Yes	No
IEP Team Considerations Must be Addressed	Yes	As Needed	As Needed
Update Present Levels	Yes	As Needed	As Needed
Update/Change Annual Goals	Yes	As Needed	As Needed
Update/Change Assessment Participation	Yes	As Needed	As Needed
Update/Change Postsecondary Goals	As Needed	As Needed	As Needed
Update/Change Statement of Special Education and Related Services including Transition Services*	As Needed*	As Needed*	As Needed*
Educational Placement*	Yes*	As Needed*	As Needed*
Consideration of Least Restrictive Placement	Yes	As Needed	As Needed
IEP Amendment Form	No	No	Yes
Notice of Proposed Action (of any/all changes in IEP)	Yes	Yes	Yes
Resets Annual Review Date of IEP	Yes	No	No
Parent Receive a Copy of the IEP	Yes	Yes	Upon Request
Consent	Only on * items above and meet one of the criteria below.		
<p>*Consent is required when a change in Special Education and Related Services or Placement meets any of these criteria:</p> <ol style="list-style-type: none"> <li>1. Substantial change in placement (more than 25% of the child's school day)</li> <li>2. Material change in services (25% or more of any one service)</li> <li>3. Add a new service, or delete a service completely (100%)</li> </ol>			

Appendix L: LRE Decision Tree



## Appendix L: LRE Decision Tree (continued)

1	<p><b>Evaluate &amp; Identify Needs</b> – For the IEP Team to be able to make any decisions for a student they must clearly understand the student’s needs. Think beyond academics and consider function as well.</p> <ul style="list-style-type: none"> <li>• Does the team understand how the disability manifests itself within the general education classroom?</li> <li>• Does the team understand what it is about the student’s disability that prevents the student from being successful in the general education classroom?</li> </ul>
2	<p><b>Identify Goals</b> – After the team completely understands the student’s needs they can then prioritize the needs and identify the goals for the student (both post-school and annual goals). Using their understanding of the two questions above the team can determine what the student needs to become more independent and successful within the general education classroom.</p>
3	<p><b>Determine Services &amp; Supports Needed to Achieve Goals &amp; Meet Other Needs</b> – After the goals for the student have been identified that team then moves to determining what services and supports need to be provided to enable the child to achieve those goals and to address the other needs identified in the present levels but do not have goals written for them. The services that the team needs to consider are special education, related services, program modifications, supplementary aids &amp; services and supports for school personnel. When making these decisions the team needs to keep in mind how much support the student needs to be successful. Too much support can build dependence in a child but providing the wrong type of services can prevent the student from being able to function in more independent ways. In addition to all of these considerations it’s important to remember, by law, a child with a disability cannot be removed from age-appropriate general classrooms solely because of needed modifications in the general education curriculum. Some questions to keep in mind when making service decisions include:</p> <ul style="list-style-type: none"> <li>• Are there skills that could be taught to the student in order to reduce the amount of support she/he needs?</li> <li>• Is the focus every year on making the student as independent as possible?</li> </ul> <p><i>Note: The following are placement decisions not service decisions, they are not considered at this point: Resource Room, Pull-Out, Self-Contained, Inclusion, Center Based, BD/ED Program.</i></p>
4	<p><b>Determine Placement</b> – Once the team has determined the services that the student needs then the discussion can move to placement, where services will be provided. To assist with this decision process the following questions lead the team through the placement discussion.</p>
4a	<p><b>Can the services determined necessary be provided within the general education classroom?</b> – When having this conversation try to focus on whether services could be provided in the general education classroom and not how we typically provide services. The discussion of whether the services can be provided in the general education classroom must be done for each individual student based on their specific needs. If the team determines it is possible to provide the services in the general education classroom then the least restrictive environment for the student is the general education classroom.</p>
4b	<p><b>If not, are there additional services or supports that can be provided that would enable the student to be successful within the general education classroom?</b> – If the team determines that the services as originally identified as necessary are unable to be provided in the general education classroom the next discussion should be whether additional supports or services could be provided that would allow the student to remain within the general education classroom. When making the decisions the team should consider the same issues of student independence as was considered in Step 3.</p>
4c	<p><b>If not, will the benefits of a more restrictive setting outweigh the benefits of remaining in the general education classroom?</b> – If the team determines that it is not possible to provide additional services and supports in the general education classroom to meet the needs of the student then the consideration of placement options outside of the general education classroom are then considered. The team should move in small incremental steps away from the general education classroom and at each movement in the continuum the team should readdress questions in 4a and 4b for that placement. It is not until this point in the placement determination does the team consider placement options such as pull-out, resource room, etc. In making this decision, the team should consider (a) whether reasonable efforts have been made to accommodate the student, (b) the educational benefits, both academic and social that are available in each setting, (c) the possible negative effect of the inclusion of the student on the education of other students, and (d) the harmful effects of a more restrictive environment on the student.</p>
4d	<p><b>Identify Placement Option that team feels is appropriate &amp; reconsider questions for Placement Determination</b> – If it is determined that the general education classroom is not appropriate, based on the student’s needs and the services to be provided, the team identifies a reasonable and appropriate placement.</p>

4e

**Are there additional services or supports that can be provided that would enable the student to be served in a less restrictive setting?** – The team needs to consider whether program modifications could occur or additional services could be provided which would enable the student to be appropriately served in a less restrictive setting. Even if these program modifications have never before been provided in the less restrictive setting, it should still be considered. When making the decision the team should consider the same issues of student independence as described in Step 3. Placement in the less restrictive setting should occur if additional modifications or supports would make that setting appropriate for the student. KSDE & Project SPOT  
June 2007



14.C. Approval of John Deere 5200 Tractor and  
Implemented Bid

15. **Board Policies**

15.A. Annual Agenda Planning

**ANNUAL AGENDA PLANNING  
2024-2025**

<b>DATE</b>	<b>LOCATION</b>	<b>RESULTS</b>	<b>LINKAGE</b>	<b>OTHER BUSINESS</b>
July 14 (2025)	Administration Office	None	None	Organizational Meeting
August 11	Administration Office	None	None	
September 8	Administration Office	None	None	Budget Hearing and Adoption / Annual Retreat
October 13	Administration Office	None	Ministerial Alliance	Annual Retreat Review
November 10	Administration Office	None	None	Building Report Card Review
December 8	Administration Office	Focus on Math	None	KASB Convention
January 12	Administration Office	Focus on Reading, Writing, and Communication	Special Meeting w/ Previous Year's Graduates	Supt. Summative Evaluation and Negotiations Report Board reorganization
February 9	Administration Office	Focus on Science and Social Studies	None	
March 9	Administration Office	None	Site Council & Principals	KESA Report
April 13	Administration Office	Focus on Physical Education, Foreign Language, Performing Arts, and Visual Arts	Teachers	
May 11	Administration Office	Focus on Technology, Vocational Education, Extra Curricular Programs	None	
June 8	Administration Office	None	Administrators & Debriefing (including 21st CCLC)	Site Council Annual Reports
July 13 (2026)	Administration Office	None	None	Organizational Meeting

16. **Closing Items**

16.A. Debriefing

16.B. Adjournment